



Settlement of aged disputed invoices

Situation

An invoice dispute arose between one of the largest housing providers in the UK and a facilities management contractor. The dispute related to historic invoices worth c.£500,000 which the contractor alleged were payable but which the housing association could not verify due to the passage of time.

Challenge

We advised the housing association on its liability to pay historic invoices, provided advice on how to best manage the dispute, and liaised with the contractor's solicitors on behalf of the housing association.

Solution

A settlement was achieved shortly after the contractual adjudication process was triggered by the contractor. It is likely that the adjudication process would have resulted in the association having to pay the disputed sum and then, or in parallel, commencing a separate adjudication process. In settling the dispute the association saved significant legal fees, did not pay the full value of the alleged debt and avoided the significant risk of losing on adjudication / trial and having to pay costs to the contractor.

Outcome

Robust evidence gathering should take place as soon as possible. In this instance, we helped audit the disputed invoices upon instruction which enabled us to advise in confidence as we fully understood the factual background.