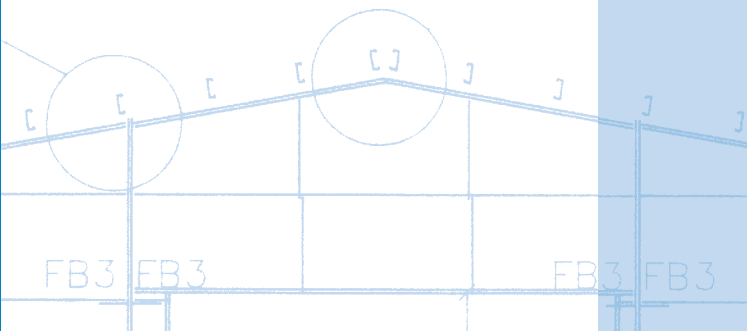




What you need to know about

Making a complaint about a building practitioner



What do I need to know?

Registered building practitioners are typically proud of their professionalism and ethical standards, but sometimes a client, or member of the public may have concerns about a registered building practitioner's professional conduct or ability to practise.

When you have such concerns, you should first discuss them with the building practitioner. If after speaking to the building practitioner you are not satisfied or you do not wish to discuss the matter further, you can seek the assistance of the Building Commission.

The building practitioner's client or anybody who has an interest in the building practitioner can submit a formal complaint to the Building Commission.

What can I complain about?

The Building Commission takes seriously all complaints about registered building practitioners where they may have breached professional standards or the requirements of the *Building Act 1993*. The building practitioner's client or anybody who has an interest in the work of a building practitioner can make a formal complaint to the Building Commission.

The types of complaint the Building Commission investigates include for example: when a building practitioner has carried out building work without the required insurance or building permits; permitted an unregistered builder to use his or her registration; or has breached the building contract (e.g. requested excessive deposit or premature progress payments).

There may be circumstances in which the Building Commission will refer your complaint to another Government body. Victorian legislation distinguishes between different types of complaints, with various Victorian Departments responsible for different issues.

- Complaints about architects should be made to the Architects Registration Board of Victoria by phoning 9655 8570 or emailing registrar@arbv.vic.gov.au.
- Should you be involved in a contractual dispute related to domestic building and your contract is dated from 1 July 2002, you should contact Building Advice and Conciliation Victoria. This is a joint initiative between the Building Commission and Consumer Affairs on 1300 557 559.
- If your concern is about a new building project near your property (e.g. overshadowing or overlooking), you should first raise your concerns with the local council where the project is located.

How do I make a complaint?

A complaint relating to a registered practitioner's professional conduct or ability to practice should be made in writing to:

Manager, Practitioner Compliance

Building Commission

PO Box 536E

MELBOURNE VIC 3001

complaintservices@buildingcommission.com.au

You should identify yourself and state the reasons for your complaint.

The Building Commission takes seriously all complaints about registered building practitioners where they may have breached professional standards or the requirements of the *Building Act 1993*.

What is the complaint process?

After receiving your complaint, the Building Commission will send a written acknowledgement. The Building Commission will then carefully assess the complaint. Based on this preliminary assessment, the Commission will determine if a formal investigation is required.

When a formal investigation is necessary, a Building Commission investigator may interview you and the practitioners related to the complaint, and may arrange building inspections. The findings of the investigator are then lodged with the Manager, Practitioner Compliance.

Typical outcomes of a formal investigation can include:

- The complaint is not substantiated.
- A warning is issued to the registered building practitioner.
- The Building Commission initiates a prosecution.
- The matter is referred to the Building Practitioners Board for an inquiry into the conduct of the practitioner. For further information about this process, please refer to the Building Commission's brochure on Building Practitioners Board Inquiries.

The Building Commission will decide whether to initiate legal or disciplinary action.

Need more information?

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Printed June 2003