

BUILDING ACT INFORMATION SHEET ON HOW TO MAKE A COMPLAINT ABOUT A BUILDING PRACTITIONER

The Northern Territory Government has instigated a comprehensive reform of the construction industry, developing a package of initiatives to protect consumers and workers and further increase the level of professionalism in the industry. It is a requirement that the following categories of building practitioners be registered:

- (a) A building certifier;
- (b) A certifying architect;
- (c) A certifying plumber;
- (d) A certifying engineer; or
- (e) A building contractor.

Building practitioners typically work to professional and ethical standards. However, sometimes there may be concerns about a building practitioner's professional conduct or ability to practise.

The Director of Building Control ('Director') has responsibility pursuant to the *Building Act* for the investigation of complaints, and taking appropriate action against building practitioners.

If you are experiencing problems with your building practitioner, this information sheet provides some steps that may assist you in resolving your complaint.

STEP 1 – TALK TO THE BUILDING PRACTITIONER

Try and resolve the problem by talking directly with the building practitioner.

- Quote details from any documentation you may have regarding the matter eg. Contract, quotation, invoice or receipt number
- Explain the problem and offer a solution which satisfies your complaint
- Be calm and courteous; but be firm
- Keep a record of your conversations (who you spoke with, date & time)

If there is no
resolution
then

STEP 2 - WRITE A LETTER TO THE BUILDING PRACTITIONER

Include in your letter:

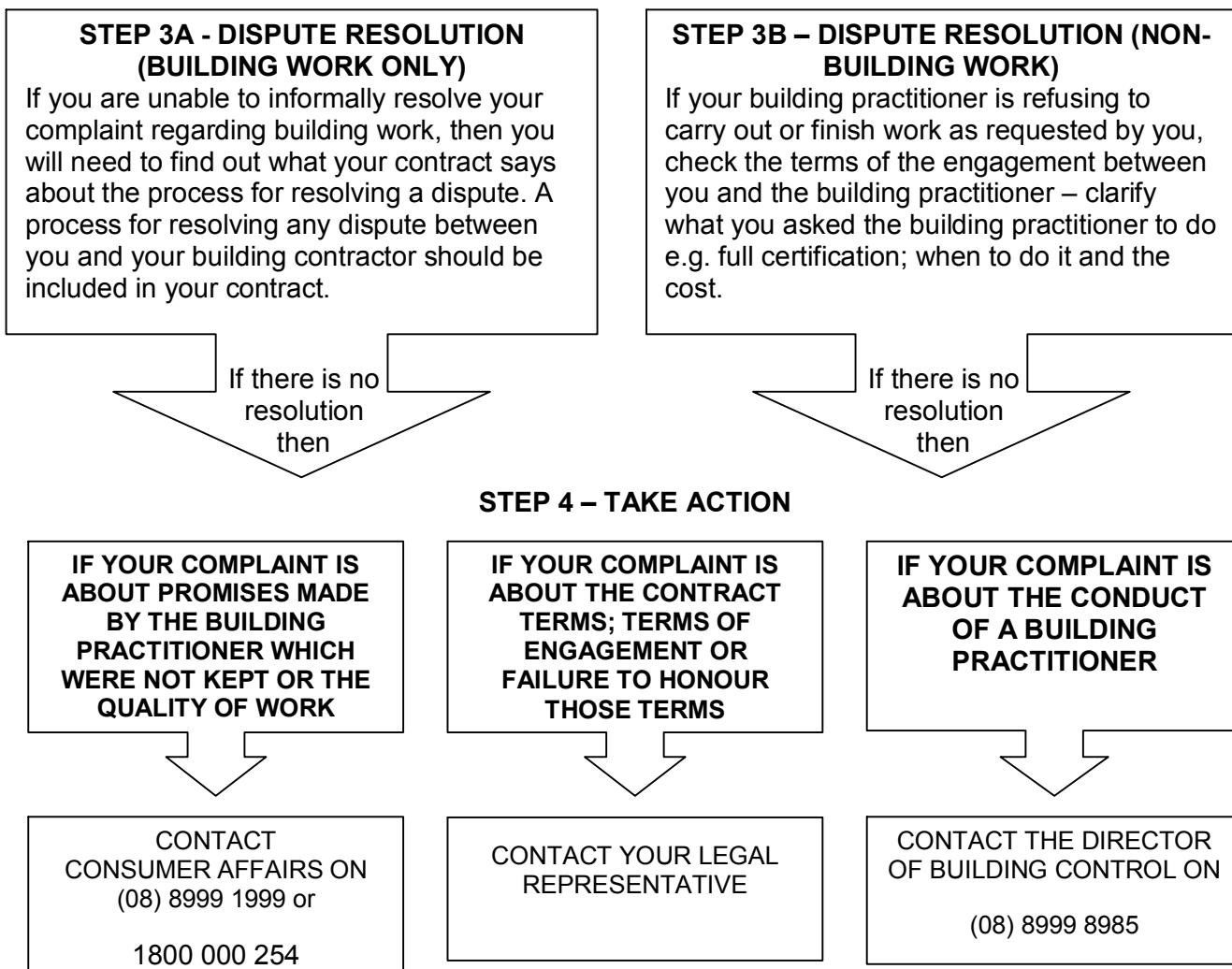
- Specific details of your complaint
- Your name and contact details
- Quote details from any documentation you may have regarding the matter eg. Contract, quotation, invoice or receipt number
- A copy of any documents that relate to your complaint (remember to keep originals)
- A copy of any independent reports you may have obtained regarding your complaint (if applicable).

Remember to:

- Write promptly as delays may affect your rights
- Clearly identify your complaint and the solutions you seek to rectify your complaint
- Set a reasonable deadline for a response (eg. 10 working days)
- Keep a copy of your letter

If there is no
resolution
then





TYPES OF COMPLAINTS DEALT WITH BY DIRECTOR OF BUILDING CONTROL

The Director takes seriously all complaints about building practitioners. A person may complain to the Director about a building practitioner on one or more of the following grounds:

- (a) the practitioner has committed an offence against the Building Act or the Building Regulations - for example carrying out work whilst not registered;
- (b) the practitioner has carried out work in a negligent or incompetent manner;
- (c) the practitioner is otherwise guilty of professional misconduct.

There may be circumstances in which the Director may refer a complaint to another Government Agency for appropriate action. If this is the case, you will be advised by the Director the reasons for doing so.

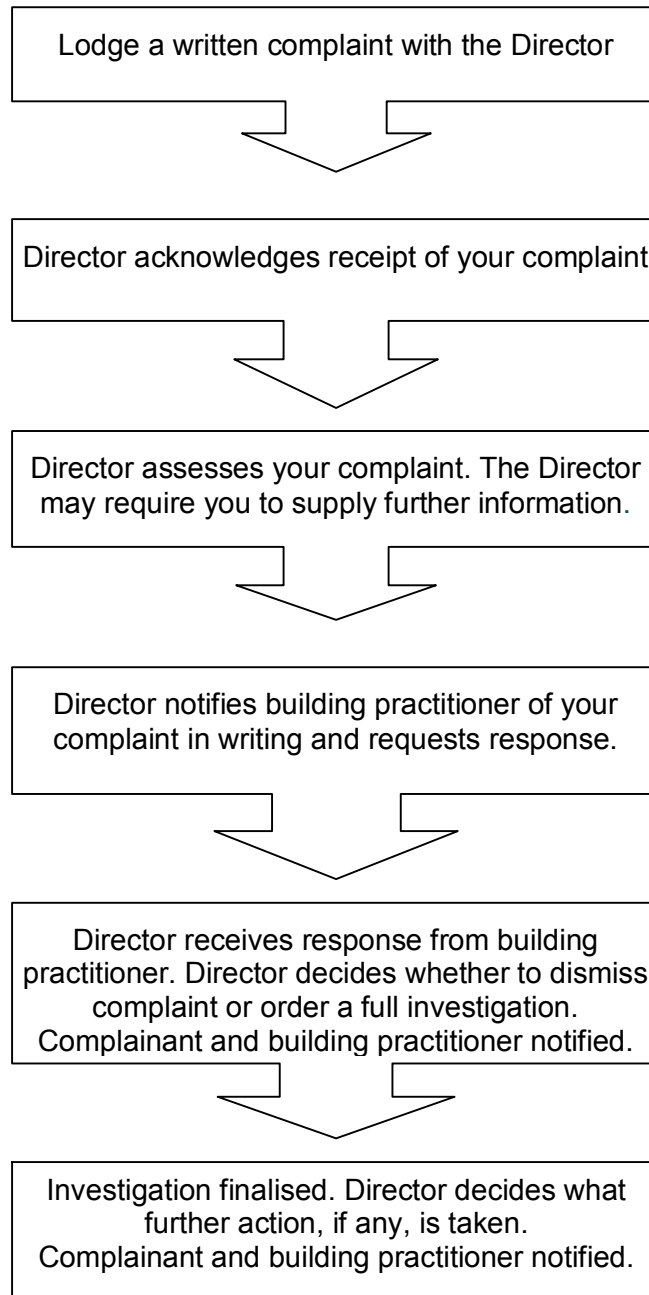
HOW DO YOU LODGE A COMPLAINT?

If you have taken all reasonable steps in resolving your complaint with the building practitioner and have been unsuccessful, lodge a complaint to the Director in writing. Remember to attach any documentation that may support your complaint.

NEED ASSISTANCE?

Contact Building Advisory Services on 8999 8985 if you require specific assistance or help in lodging a complaint including the availability of interpreters and cross-culturally trained staff.

WHAT HAPPENS NEXT?



YOUR ROLE IN THE PROCESS

Once you have lodged your complaint in writing, the Director will conduct an assessment to determine whether a formal investigation is required. If a formal investigation is necessary you may be required to provide further information regarding your complaint – so make sure you advise the Director of any change of your contact details. Additionally, the Director may require an on-site inspection at your property, or request that an independent expert provide a report regarding your complaint.

Any breach of the Building Act or Regulations detected during the investigation will be dealt with by the Director as considered appropriate. This may include a formal caution, prosecution, and/or referral to the Building Practitioners Board for an Inquiry.

CONFIDENTIALITY AND FREEDOM OF INFORMATION

A copy of your complaint will be provided to the building practitioner who the complaint is about pursuant to section 29(a) of the Building Act. However, information generally will not be disclosed to any third party without your written consent unless specifically provided for by legislation.