

## PAC Inquiry- further Inquiry into the regulation of building standards

Hearing November 22 2021

### Responses to Supplementary Questions

#### Department of Customer Service- Better Regulation Division

Question	Division
<b>Privium Homes</b> <b>1. How many complaints have been made to Fair Trading regarding the builder of Privium Homes?</b>	<b>BRD</b>
<b>ANSWER:</b> NSW Fair Trading received 75 complaints about Privium Group between 1 November 2021 and 6 December 2021.	
<b>2. What contact have you made with Privium Home owners?</b> <b>(a) How many Privium homeowners have you contacted?</b> <b>(b) How many were contacted in November?</b> <b>(c) How many were contacted in December?</b>	
<b>ANSWER:</b> 2 (a) – (c) NSW Fair Trading understands that icare/Home Building Compensation Fund is writing to all homeowners who hold a current policy.  NSW Fair Trading does not have data on Privium customers and is encouraging customers to lodge a complaint with us. On receipt of a complaint, NSW Fair Trading is writing to consumers to provide contact details of the administrator to be listed as an unsecured creditor. Consumers are also being advised how to check for a policy and lodge a claim under the insurance policy provided under the Home Building Compensation Fund.  As of 10 December 2021, NSW Fair Trading is investigating 22 matters about Privium for possible breaches of the <i>Home Building Act 1989</i> . NSW Fair Trading contacts complainants as part of their investigation process.	
<b>3. What advice have you provided to homeowners affected by the insolvency of Privium Homes?</b>	
<b>ANSWER</b> Options available to customers are dependent on the outcome of the administration process which will determine if the companies will continue to trade or be liquidated. In the interim, NSW Fair Trading's advice to customers is to contact the administrator to be listed as an unsecured creditor.  Consumers are also being advised to lodge a claim under the insurance policy provided under the Home Building Compensation Fund. NSW Fair Trading will continue to provide information to its customers as the administration process progresses.	
<b>4. Was Robert Hadder's building license suspended?</b> <b>(a) If so when did this occur?</b> <b>(b) How long will this suspension last for</b>	
<b>ANSWER:</b> No.  (a) not applicable (b) not applicable	
<b>5. What contact has Fair Trading had with icare regarding Home Building Compensation for home owners affected by the collapse of Privium Homes?</b>	

<p><b>ANSWER</b></p> <p>SIRA, NSW Fair Trading and icare are maintaining intensive oversight of this matter to ensure impacted homeowners are aware of their entitlements and can access guidance about assistance.</p> <p>SIRA is in regular contact with NSW Fair Trading, SafeWork NSW, icare, the Queensland Building and Construction Commission, and Australian Securities and Investment Commission to ensure visibility of the situation is maintained with a cross-agency approach and oversight.</p>	
<p><b>6. How many homeowners have been affected by the collapse of Privium Homes in NSW</b></p>	
<p><b>ANSWER</b></p> <p>NSW Fair Trading does not hold information on numbers of homeowners affected by the Privium collapse. The number of complaints received by NSW Fair Trading about Privium Group is provided in the response to question one.</p>	
<p><b>7. How many employees in the department of Fair Trading have been assigned to the investigation into Privium Homes?</b></p> <p><b>(a) Please provide a list of their roles</b></p>	
<p><b>ANSWER</b></p> <p>NSW Fair Trading has 18 Building Investigators specialising in building matters.</p> <p>(a) 1 Lead Building Investigator, 1 Building Investigator and 1 Principal Building Investigator are specifically assigned to the Privium matter.</p>	
<p><b>8. What discussions has the Department of Fair Trading had with the Minister regarding Privium Homes?</b></p>	
<p><b>ANSWER</b></p> <p>The Minister is being provided regular updates on the progress of Fair Trading's investigations into potential breaches of the <i>Home Building Act 1989</i>, complaints received, and the progress of the administration process as information comes to hand.</p>	