

**INQUIRY INTO INQUIRY INTO THE OPERATIONS OF
THE HOME BUILDING SERVICE**

Name: Mr Chris Fitzgerald

Date received: 7/11/2007

Partially Confidential

Formal Cautions NOT marked on Builder's Licence

The Builder's Licence –expired 21 August 2005

(xvi) **Public Warnings:**

(xvii) **Formal Cautions:**

(xviii) **Cancellations and Suspensions:**

Letter from Minister John Aquilina 12 March 2003

In relation to the conduct of the directors of _____ in this matter, the Department has advised there are no grounds, on the available evidence, to conclude that the licence holder is not fit and proper to hold a licence. However, a formal caution has been issued to _____ regarding the statutory obligations under the *Home Building Act 1989* concerning non-completion of a written contract and non-supply of a home warranty insurance certificate.

Copy of Formal Caution obtained under Freedom of Information -2 March 2005

DEPARTMENT OF **FAIR TRADING**

NSW Consumer Protection Agency

Director

COPY

Our Ref
Contact
Telephone
Facsimile

Dear Sir or Madam

Re: **Work at 15 Austral Street, Mt Druitt**

FORMAL CAUTION

Letter from Acting Minister Barbara Perry 9 August 2007

You are correct in stating that formal cautions must be noted on the public register. However, it appears that you were incorrectly advised previously as warning letters, not formal cautions, were issued to _____. Warning letters are not required to be listed on the public register.

Why the misinformation?

This licence-holder commenced work in **March 1999** (pre GST). I've had to pay GST on my first home as a result. He quoted **\$94,000** on a house that has really cost over **\$150,000**. He provided a one page **contract 5 weeks after commencing work** –it was **never signed**. It took **6½ years** to get a copy of the Home Warranty Insurance –even after going through Tribunal in 2000. The insurer, BIG Corp (Fair Trading) claimed prior legal action by the builder meant they did not have to pay. It will cost me **\$43,000** to repair the damage they did to the property.