

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

Organisation:

Name: Mr Robert Siebert

Telephone:

Date received: 17/08/2007

This submission has been kept partially confidential by resolution of the Committee.

16
31 July 2007

The Hon. Robyn Parker,
Parliament House,
Macquarie Street,
Sydney NSW 2000

RECEIVED

17 AUG 2007

GPSC's

General Purpose Standing Committee No 2 Operations of the Home Building Service

Prior to the State election General Purpose Standing Committee (GPSC) No 4 was undertaking an inquiry into the Home Building Service. The Inquiry was addressing matters such as licensing, insurance and the proposition for the establishment of a Home Building Advocacy Centre. I understand matters associated with the Office of Fair Trading and building are now the responsibility of GPSC No 2 of which you are part and hence I am writing to you to seek the re-establishment of the inquiry under GPSC No 2.

I have had an adverse experience with a builder. That experience was documented and submitted to the Standing Committee. Since that time the builder has been placed in liquidation as he has not fulfilled the orders of the CTTT and now I will need to claim on Home Warranty Insurance. It should be noted that the Home Warranty Insurance will not cover the cost of repairs.

Further the builder has surrendered his licence to the entity to which I contracted, (Gold Coast) and started another company without any action taken against either the building company or the licence holder. The conduct of the CTTT may allow the builder to claim res judicata on any matters raised in respect to breaches of the Home Building Act and as such escape prosecution.

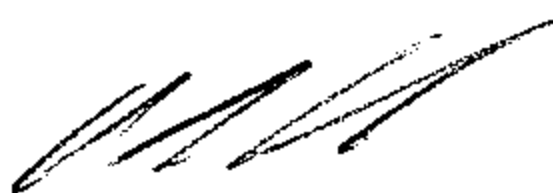
Further there is a prime face case that the builder misled the CTTT. The Police are now investigating this matter.

The CTTT made errors at law in that they made determinations, which are contrary to the EP&A Act, a power they do not have.

It is now four years since the house was to be completed and after paying the builder all but the last payment, expending over \$60,000 in legal costs and \$40,000 in rent I am in a situation where I may have to sell the house at a loss resulting in having a mortgage and no house even if I am paid insurance the maximum amount payable under the insurance policy.

To address issues such as mine and to prevent such issues occurring in the future reform of the way licensing, insurance and the conduct of the CTTT is required. To that end I most strongly request that the Inquiry into the Home Building Service be re-established and enlarged to also address the conduct of the CTTT in building matters.

Yours sincerely



Rob Siebert