Supplementary Submission No 21b

INQUIRY INTO INQUIRY INTO THE OPERATIONS OF THE HOME BUILDING SERVICE

Organisation:

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Date received: 18/12/2006

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

Submission by Luisa Berg

The Builder Licensing system

The current Stay of Proceedings issued by the Administrative Decisions Tribunal in relation to fines imposed on my builder's Licences Nos and resulted in the disappearance of warnings and determinations from the record even when what is disputed is the size of the fine rather than the fine itself.

Warnings and other relevant determinations need to be restored to the Licence Records. Potential consumers have a right to the information previously shown on the record as its absence could adversely affect them.

Recommendations:

- 1. Licence number to be constant throughout the life of the licencee.

 See changes in Supervisor's licences held by
 and changes in Contractor's licences held by
 No.
 No. and
 No.
- 2. Names of companies the licencee is associated with or supervises to be on the licence search/check, which shows status of licence.

 E.g., formerly &
- 3. All previous findings/determination & notices/warnings and statutory claims paid to be correct and shown when status checked.
- 4. All matters pending to be shown including when proceedings/ claims are lodged. e.g. claims, disciplinary/ court proceedings etc
- 5. No requirement to show claims if they are subsequently dismissed or formally settled.

OFT CHANGES TO STATUS OF LICENCES

STATUS OF LICENCE NUMBER

Contractor's Name:

New Status

Current (Without stating "proceedings pending in the ADT")

Previous Status

Suspended

The OFT website has issued a clear certificate. The OFT has since refuted its obligation to place a notice in the Register to alert the public that there is a stay of proceedings pending in the ADT.

STATUS OF LICENCE NUMBER

Search/check dated 30.11.06

Supervisor's Name

New Status

Current

Determinations

blank (No reason given for blank space)

Penalties

Blank "

Previous Status

Current

Determinations

The licensee has been fined

Penalty Notices

Blank

STATUS OF LICENCE NUMBER

Contractor's Name

Status

Surrendered (No Reason given for the surrender)

Conditions:

ONLY FOR CONTRACTS NOT REQUIRING HOME WARRANTY INSURANCE from 8/8/2000 to 28/2/2002

STATUS OF LICENCE NUMBER.

Contractor's Name:

(formerly

New Status

Expired. (No Reason given for removal of Warning) Expired. Warning "do not contract with this licencee"

Former Status

Previous Status

Deregistered

STATUS OF LICENCE NUMBER

Supervisor's Name

New Status

Expired. Notice "Licences & certificates can expire for many

reasons. Check the register or phone the OFT" No of Statutory *Insurance Claims paid: 0*

Former Status

Expired. Warning, "Do not contract with this licencee"

Insurance Claims paid: 2"