

COMPLAINTS BY PRINCIPAL CONTRACTOR – DURING CONSTRUCTION – DOMESTIC BUILDING WORK

We know getting your building issues resolved is incredibly important. We want this process to be as efficient as it can be for you.

Before you complete this form:

1. Do you have all of the documents you need to continue? (see list on page 2).



Without all required documents, your submission cannot be assessed and you lose all your time you spent filling out this form.

2. Is QBCC the best option for resolving your dispute? Check our website qbcc.qld.gov.au to see if you are eligible.

Remember, it's important to first get your documents in order. Without all of these documents, your submission cannot be reviewed and you lose all your time spent filling out this form.

What can you make a complaint about?

1. Defective building work (only during construction – before your contract is complete).
2. Contract disputes (only during construction – before your contract is complete).

To find out more about complaints after your contract or subcontract has been completed, visit the QBCC website at qbcc.qld.gov.au or call us on 139 333.

When can we assist?

Your contract or subcontract must be:

1. still in progress (e.g. not completed)
AND
2. for more than \$3,300 in value (including labour, materials and GST).

If your contract or subcontract is for plumbing, drainage, gas fitting, chemical termite management system installation, building design, site classification, fire protection or completed building inspections, it can be investigated regardless of value. Hydraulic design work over the value of \$1,100 can also be investigated.

AND

3. for domestic building work.

Domestic building work includes things like:

- building a house or duplex
- renovating, altering, extending or repairing a home, which can include a residential apartment or unit
- landscaping, paving, driveways, fencing, garages, carports, swimming pools and other associated works, supplying lighting, heating, ventilation, air-conditioning, water supply, sewerage and other services and facilities.

Check your contract or subcontract terms for how you should deal with disputes, including any warranty periods for minor defects. Make sure you have followed these closely to avoid breaching your contract.

Who can apply?

Principal contractor – You have entered into a contract for domestic building work with a property owner or have entered into a subcontract with a subcontractor to carry out domestic building work.

Authorised agent – If you have authorised someone to act as your agent, they are eligible to lodge on your behalf.

Is our dispute service right for you?

Avoid wasting time by checking if our dispute service is right for you before you apply.

Disputes about the quality of work (e.g. defective building work) – only during construction:

Our expert team can:

- contact both parties to try to facilitate an agreement
- only if this is unsuccessful and if defective work is alleged, we may inspect to decide if the work is defective or not
- try to facilitate an outcome that will result in the work being fixed.

QBCC has no power to:

- direct how work should be fixed
- supervise repairs
- fix defective work ourselves.

Disputes about your contract or subcontract – only during construction:

Our expert team can:

- work with both parties to try to facilitate an agreement about contract issues (e.g. payments due, approval of variations).

QBCC has no power to:

- require someone to pay or refund monies
- make decisions or give orders about your contract
- force either party to comply with any agreement.

The Queensland Civil and Administrative Tribunal (QCAT) can make decisions about contract disputes. As part of our service, we will issue you a letter so you can apply to QCAT if you'd like their help. You cannot apply to QCAT until you have completed our process.

What will happen after you apply?

- Acknowledgement** – You will receive an email confirming receipt which provides your unique case number.
- Assessment** – A specialist QBCC Resolution Services officer will assess your submission and contact you and the other party to discuss the complaint. An attempt will be made in this first phone call to facilitate an outcome. Our aim is to quickly facilitate an acceptable agreement between both parties.
- Parties meet to resolve items** – If there is alleged defective work, you meet the other party on site to review each item and decide a plan for the repair of any agreed items. Only required if your complaint items relate to defective work.
- Repairs** – All agreed repairs are carried out and/or any agreed contractual items addressed.
- Inspection** – If there are any defective work items which cannot be resolved, a specialist Building Inspector is assigned to the case and will contact you and the other party to attempt to facilitate an outcome. If this is unsuccessful, the QBCC Building Inspector may undertake a site inspection. When conducting an inspection, the QBCC Building Inspector will carry out a visual inspection only. This will involve visually observing each complaint item. Invasive investigations are not undertaken by the QBCC to determine the cause of an alleged defect. Examples of invasive investigations include cutting a hole in a wall to look at damage behind the wall. The inspection is also not intended to be a complete inspection of the whole building or dwelling.
- Resolution** – Following a site inspection, we may issue a Direction to Rectify to you, and any relevant subcontractors, to rectify defective building work you are found to be responsible for. In most cases, the rectification period will be 35 days. We have no power to issue a direction for items that are not defective building work. If you fail to comply with a direction, you may be fined or prosecuted.

How to apply

- To assist the QBCC in assessing your complaint please complete all relevant sections of the form.
- Read the check list below to find out which documents you need to supply (do not send originals as we cannot return them).
- We cannot assess your complaint without the mandatory documents related to your complaint (as indicated in the table below by a tick).
- After Section 10 (Complaint Items) there is a template to list all of your complaint items. If your complaint relates to a unit complex, use the 'Unit Complex' template to list all of your complaint items. We cannot assess your complaint if you have not completed this template. Do not substitute other reports, emails or documents in place of this template. Accurate completion of this section will allow us to have a greater understanding of your complaint.

DOCUMENTS REQUIRED

(Only copies should be sent)

If you were engaged to carry out the work:	
Contract	✓
If you engaged a subcontractor to do the work:	
Subcontract agreement	✓

2. WHO ARE YOU OR WHO ARE YOU REPRESENTING?

Principal contractor Authorised agent

3. PRINCIPAL CONTRACTOR'S DETAILS

Title Mr Mrs Miss Ms Other

Surname

First names

QBCC Licence Number

ABN

ACN

Postal address

Home ph Work ph

Mobile

Email

4. LOCATION OF DOMESTIC BUILDING WORK

Real Property Description: these details can be found on your Rates Notice or your Certificate of Title.

Lot no (e.g. 6) Plan (e.g. RP/SP/BUP/GTP) Plan no (numeric)

House no Unit no

Address

State Postcode

5. PRINCIPAL CONTRACTOR'S AGENT

For agents acting on principal contractor's behalf, please provide a copy of the written authorisation.

I am an individual agent I am a part of a company acting as an agent

Title Mr Mrs Miss Ms Other

Surname

First names

Company Name

ABN ACN

Postal address

State Postcode

Home ph Work ph

Mobile

Email

Contact person

Contact person ph

Email

6. WHO IS THE COMPLAINT AGAINST?

Title Mr Mrs Miss Ms Other

Surname

First names

Company Name

ABN ACN

QBCC Licence Number

8. BUILDING WORK

Date contract signed:

Date / /

Contract amount:

\$.

Date contract commenced:

Date / /

Cost of variations:

\$.

Date the work was completed or work stopped

Date / /

Payments to date:

\$.

Amount still owing:

\$.

Q1. What type of work does your complaint relate to?

Construction of a new home (go to Q1A below) **OR**
 Trade work – e.g. landscaping, tiling, painting
 Renovation
 Swimming pool
 Extension
 Other (please specify)

(go to Q1B below)

Q1A. What stage is the work up to? (New home construction)

Deposit paid
 Base stage
 Frame stage
 Enclosed stage
 Fixing stage

Q1B. What stage is the work up to? (Renovation or trade work)

You must provide a copy of your building contract or subcontract agreement.

Please tick which item/s you have supplied: Building contract Subcontract Agreement

INTERNAL COMPLAINT ITEMS

INTERNAL

EXTERNAL

UNIT COMPLEX
INTERNAL

UNIT COMPLEX
EXTERNAL

Step 1. Enter Item number and date. **Step 2.** Select Room/Location **Step 3.** Write a brief concise description of each item. **Step 4.** Add a reference for your photos if including them.

Only items listed in this table will be considered. List every item individually – even if they are included in a separate, attached report. Failing to do this will delay our assessment of your submission – you will have to repeat this step before we can progress your submission.

ITEM NO.	DATE ITEM NOTICED	ROOM/LOCATION OF ITEM (SELECT ONLY ONE PER ITEM)	BRIEF DESCRIPTION	PHOTO REFERENCE
1	12/10/18	Bathroom/ensuite <input type="checkbox"/> Living room <input type="checkbox"/> Bedroom <input type="checkbox"/> Dining room <input type="checkbox"/> Kitchen <input type="checkbox"/> Laundry <input type="checkbox"/> Office/rumpus <input type="checkbox"/> Loft/roof space <input type="checkbox"/> Other <input type="checkbox"/>	Cracked tiles in the shower.	Photo 1
		Bathroom/ensuite <input type="checkbox"/> Living room <input type="checkbox"/> Bedroom <input type="checkbox"/> Dining room <input type="checkbox"/> Kitchen <input type="checkbox"/> Laundry <input type="checkbox"/> Office/rumpus <input type="checkbox"/> Loft/roof space <input type="checkbox"/> Other <input type="checkbox"/>		
		Bathroom/ensuite <input type="checkbox"/> Living room <input type="checkbox"/> Bedroom <input type="checkbox"/> Dining room <input type="checkbox"/> Kitchen <input type="checkbox"/> Laundry <input type="checkbox"/> Office/rumpus <input type="checkbox"/> Loft/roof space <input type="checkbox"/> Other <input type="checkbox"/>		
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EXTERNAL COMPLAINT ITEMS

INTERNAL

EXTERNAL

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INTERNAL

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EXTERNAL

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ITEM NO.	DATE ITEM NOTICED	LOCATION OF ITEM	BRIEF DESCRIPTION	PHOTO REFERENCE	
1	12/10/18	Building foundations <input type="checkbox"/> Pools <input type="checkbox"/> Building systems i.e. termite barriers, fire safety, alarm systems <input type="checkbox"/> Roof and related structures i.e. guttering, soffits and eaves <input type="checkbox"/> External walls (building or dwelling) <input type="checkbox"/> Structures on property i.e. shade sails <input type="checkbox"/> Other <input type="checkbox"/>	Doors <input type="checkbox"/> Windows <input type="checkbox"/> Fences, walls and retaining walls <input type="checkbox"/> Water tanks <input type="checkbox"/> Site drainage or storm water <input type="checkbox"/> Sheds, carports and garages <input type="checkbox"/> Stairs and steps <input checked="" type="checkbox"/> Decks and patios <input type="checkbox"/>	External stair treads are loose and timber is splitting.	Photo 2
		Building foundations <input type="checkbox"/> Pools <input type="checkbox"/> Building systems i.e. termite barriers, fire safety, alarm systems <input type="checkbox"/> Roof and related structures i.e. guttering, soffits and eaves <input type="checkbox"/> External walls (building or dwelling) <input type="checkbox"/> Structures on property i.e. shade sails <input type="checkbox"/> Other <input type="checkbox"/>	Doors <input type="checkbox"/> Windows <input type="checkbox"/> Fences, walls and retaining walls <input type="checkbox"/> Water tanks <input type="checkbox"/> Site drainage or storm water <input type="checkbox"/> Sheds, carports and garages <input type="checkbox"/> Stairs and steps <input type="checkbox"/> Decks and patios <input type="checkbox"/>		
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UNIT COMPLEX – INTERNAL COMPLAINT ITEMS

INTERNAL

EXTERNAL

UNIT COMPLEX
INTERNAL

UNIT COMPLEX
EXTERNAL

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ITEM NO.	DATE ITEM NOTICED	UNIT OR LOCATION	LOCATION OF ITEM				BRIEF DESCRIPTION	PHOTO REFERENCE
1	12/10/18	Basement	Building systems Electrical (fire safety) <input type="checkbox"/> Building systems Hydraulic <input type="checkbox"/> Building systems HVAC (Aircon) <input type="checkbox"/> Other <input type="checkbox"/>	Stairs and steps <input type="checkbox"/> Fire separating walls <input type="checkbox"/> Communal space i.e. laundry <input type="checkbox"/> Carpark <input checked="" type="checkbox"/>	Escalators <input type="checkbox"/> Lifts <input type="checkbox"/> Glass and glazing <input type="checkbox"/>	Gymnasium <input type="checkbox"/> Hallways and corridors <input type="checkbox"/> Shops, offices and amenities <input type="checkbox"/>	Concrete floor is cracked and lifting in two places.	Photo 1
			Building systems Electrical (fire safety) <input type="checkbox"/> Building systems Hydraulic <input type="checkbox"/> Building systems HVAC (Aircon) <input type="checkbox"/> Other <input type="checkbox"/>	Stairs and steps <input type="checkbox"/> Fire separating walls <input type="checkbox"/> Communal space i.e. laundry <input type="checkbox"/> Carpark <input type="checkbox"/>	Escalators <input type="checkbox"/> Lifts <input type="checkbox"/> Glass and glazing <input type="checkbox"/>	Gymnasium <input type="checkbox"/> Hallways and corridors <input type="checkbox"/> Shops, offices and amenities <input type="checkbox"/>		
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UNIT COMPLEX – EXTERNAL COMPLAINT ITEMS

INTERNAL

EXTERNAL

UNIT COMPLEX
INTERNAL

UNIT COMPLEX
EXTERNAL

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ITEM NO.	DATE ITEM NOTICED	UNIT OR LOCATION	LOCATION OF ITEM	BRIEF DESCRIPTION	PHOTO REFERENCE	
1	12/10/18	Unit 2A	Building systems termite barriers, fire safety, alarm systems <input type="checkbox"/> Pump room hydraulics Fire safety <input type="checkbox"/> External wall (building or dwelling) <input type="checkbox"/> Site drainage and storm water <input type="checkbox"/> Building foundations <input type="checkbox"/> Structures on property i.e. shade sails, sheds, carports <input type="checkbox"/> Fire separating walls <input checked="" type="checkbox"/> Other <input type="checkbox"/>	Fences, walls and retaining walls <input type="checkbox"/> Driveways and paths <input type="checkbox"/> Stairs and steps <input type="checkbox"/> Decks and patios <input type="checkbox"/> Pool <input type="checkbox"/> Roof and related structures i.e. guttering, soffits and eaves <input type="checkbox"/>	Fire separating walls have not been constructed in accordance with Australian Standards.	Photo 2
			Building systems termite barriers, fire safety, alarm systems <input type="checkbox"/> Pump room hydraulics Fire safety <input type="checkbox"/> External wall (building or dwelling) <input type="checkbox"/> Site drainage and storm water <input type="checkbox"/> Building foundations <input type="checkbox"/> Structures on property i.e. shade sails, sheds, carports <input type="checkbox"/> Fire separating walls <input type="checkbox"/> Other <input type="checkbox"/>	Fences, walls and retaining walls <input type="checkbox"/> Driveways and paths <input type="checkbox"/> Stairs and steps <input type="checkbox"/> Decks and patios <input type="checkbox"/> Pool <input type="checkbox"/> Roof and related structures i.e. guttering, soffits and eaves <input type="checkbox"/>		
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