

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

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 • fix defective work ourselves. 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
- supervise repairs

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.



COMPLAINT FORM

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.
- 5. 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.
- 6. 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	V



PRIVACY NOTICE

The QBCC is collecting the information on this form to assist in resolving your dispute. We may provide all or some of this information to the other party. Collection of this information is authorised by the *Queensland Building and Construction Commission Act 1991*. This information can be disclosed by the QBCC to another party with your consent or as authorised or required by law.

For further information visit the QBCC website at qbcc.qld.gov.au.

RETURN YOUR COMPLETED FORM AND ALL DOCUMENTS BY:

Post: GPO Box 5099 Brisbane QLD 4001.

In person: QBCC service centres are listed on our website qbcc.qld.gov.au.

COMPLETING THIS FORM

- Use BLACK pen only
- Print clearly in BLOCK LETTERS
- DO NOT use correction fluid any amendment should be crossed out and initialled

1. YOUR COMMITMENT

It is important you are truthful about the information you provide, so we can review your submission quickly and fairly.

We also need you to *fully complete* this form. Customers who provide all of the requested information are most likely to avoid delays in getting their case assessed.

Your behaviour matters

The safety of our team members and all parties involved in your case is very important. We will not accept hurtful or abusive language, or threats to our staff, or anyone related to your dispute. Aggressive behaviour that puts others at risk will not be tolerated. If your behaviour is unacceptable, we may not progress your case.

WARNING: Giving incorrect information to the QBCC is an offence under the Queensland Building and Construction Commission Act 1991 and can result in a fine and your case being closed.																						
I agree the	informati	on I pr	rovide	in this 1	orm v	vill be	comp	oletely	truth	ful an	d accu	ırate.										
I agree I have all of the required documents on hand now and will fully complete this form, including filling out the Complaint Items section of this form for every defective work item.																						
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OFFICE USE ONLY	CRN	Licence number
OSL ONLI	Action Officer	File number



2. WHO ARE YOU OR WHO ARE YOU REPRESENTING?																				
Principal contractor Authorised agent																				
3. PRINCIPAL CONTRACTOR'S DETAILS																				
Title		Mr		Mrs		Miss		М	s				Othe	er						
Surname																				
First names																				
QBCC Licence Number																				
ABN												ACN								
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Title		I am a	n individual ag	ent	I am	a part	of a co	I am a part of a company acting as an agent										
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6. WHO IS THE C	ОМР	LAII	NT A	GAII	NST?	CON	ITIN	UED													
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What date did you notify the other party in writing of your complaint? Date																					
What is the name of the person you																					
notified?																					
What was their response to your																					
complaint? (Please only use																					
space provided)																					
7. OTHER INFOR Please tick either Y Is there a family rel If yes, please provi	ES or	NO ship	betw	een y	ou ar	nd the			rty? e	.g. sil	bling								Yes		No
Have you previousl	lodge	ed?	othe	r com	nplain	t lod	ged v	with C	ùBCC⁻	?		D	ate	D	D	M	M /	Y	Yes		No Y
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Has this matter bee	en the	e sub	ject (of a se	ettlen	nent/	med	iated	agree	emen	t?								Yes		No
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8. BUILDING WORK	
Date contract signed:	
D D M M Y Y Y Y	Contract amount:
Date / / /	\$
Date contract commenced:	
D D M M Y Y Y	Cost of variations:
Date / /	\$
Date the work was completed or work stopped	Payments to date:
D D M M Y Y Y	\$ _
Date///	
	Amount still owing:
	\$
Q1. What type of work does your complaint relate to?	
	- e.g. landscaping, Renovation
(go to Q1A below) OR tiling, painting	ng Renovation
Swimming pool Extension	Other (please specify)
O1A What stage is the week we to? (New horse construction	(go to Q1B below)
Q1A. What stage is the work up to? (New home constr	
Deposit paid Base stage	Frame stage Enclosed stage Fixing stage
Q1B. What stage is the work up to? (Renovation or trac	de work)
You must provide a copy of your building contract or su	
Please tick which item/s you have supplied:	Building contract Agreement



9. OTHER HELP	
Have you asked any other organisation for help?	Yes No
If yes, which organisation was it?	Queensland Civil and District or Administrative Tribunal Magistrates Court
Application no.	
Have they helped so far?	Yes No
If yes, what help have they given you? (Use the space prov	vided below)
10. COMPLAINT ITEMS List every complaint item individually on the following	pages.
ONLY ITEMS LISTED ON THE FOLLOWING PAGES WILL BE	CONSIDERED - EVEN IF THEY ARE INCLUDED IN A SEPARATE, ATTACHED REPORT. mission - you will have to repeat this step before we can progress
If you represent a body corporate:	For all others:
• Use the Unit Complex – internal complaint items page (page 11) to list all items INSIDE the building	Use the Internal complaint items page (page 9) to list all items INSIDE the building
Use the Unit Complex - external complaint items page (page 12) to list all items OUTSIDE the building.	Use the External complaint items page (page 10) to list all items OUTSIDE the building.

INTERNAL COMPLAINT ITEMS

INTERNAL

EXTERNAL

UNIT COMPLEX

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 Bedroom Kitchen Office/rumpus Other	Living room Dining room Laundry Loft/roof space	Cracked tiles in the shower.	Photo 1
		Bathroom/ensuite Bedroom Stitchen Office/rumpus Other	Living room Dining room Laundry Loft/roof space		
		Bathroom/ensuite Bedroom Stitchen Stitchen Office/rumpus Other	Living room Dining room Laundry Loft/roof space		
		Bathroom/ensuite Bedroom Stitchen Stitchen Office/rumpus Other	Living room Dining room Laundry Loft/roof space		
		Bathroom/ensuite Bedroom Stitchen Stitchen Office/rumpus Other	Living room Dining room Laundry Loft/roof space		
		Bathroom/ensuite Bedroom Stitchen Stitchen Office/rumpus Other	Living room Dining room Laundry Loft/roof space		

EXTERNAL COMPLAINT ITEMS

INTERNAL

EXTERNAL

UNIT COMPLEX

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	LOCATION OF ITEM				BRIEF DESCRIPTION	PHOTO REFERENCE
1	12/10/18	Building foundations Building systems i.e. termite barriers, fire safety, alarm systems External walls (building or dwelling) Other	Roof and related structures i.e. guttering, soffits and eaves Structures on property i.e. shade sails	Fences, walls and retaining walls Site drainage or storm water Stairs and steps	Windows Water tanks Sheds, carports and garages Decks and patios	External stair treads are loose and timber is splitting.	Photo 2
		Building foundations Building systems i.e. termite barriers, fire safety, alarm systems External walls (building or dwelling) Other	Roof and related structures i.e. guttering, soffits and eaves Structures on property i.e. shade sails	Fences, walls and retaining walls Site drainage or storm water Stairs and steps	Windows Water tanks Sheds, carports and garages Decks and patios		
		Building foundations Building systems i.e. termite barriers, fire safety, alarm systems External walls (building or dwelling) Other	Roof and related structures i.e. guttering, soffits and eaves Structures on property i.e. shade sails	Fences, walls and retaining walls Site drainage or storm water Stairs and steps	Windows Water tanks Sheds, carports and garages Decks and patios		
		Building foundations Building systems i.e. termite barriers, fire safety, alarm systems External walls (building or dwelling) Other	Roof and related structures i.e. guttering, soffits and eaves Structures on property i.e. shade sails	Doors Fences, walls and retaining walls Site drainage or storm water Stairs and steps	Windows Water tanks Sheds, carports and garages Decks and patios		
		Building foundations Building systems i.e. termite barriers, fire safety, alarm systems External walls (building or dwelling) Other	Roof and related structures i.e. guttering, soffits and eaves Structures on property i.e. shade sails	Fences, walls and retaining walls Site drainage or storm water Stairs and steps	Windows Water tanks Decks and patios Decks and patios		

UNIT COMPLEX - 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	UNIT OR LOCATION	LOCATION OF ITEM				BRIEF DESCRIPTION	PHOTO REFERENCE
1	12/10/18	Basement	Building systems Electrical (fire safety) Building systems Hydraulic Building systems HVAC (Aircon) Other	Stairs and steps Fire separating walls Communal space i.e. laundry Carpark X	Escalators Lifts Lifts Glass and glazing Lifts Lifts	Gymnasium Hallways and corridors Shops, offices and amenities	Concrete floor is cracked and lifting in two places.	Photo 1
			Building systems Electrical (fire safety) Building systems Hydraulic Building systems HVAC (Aircon) Other	Stairs and steps Fire separating walls Communal space i.e. laundry Carpark	Escalators Lifts Glass and glazing	Gymnasium Hallways and corridors Shops, offices and amenities		
			Building systems Electrical (fire safety) Building systems Hydraulic Building systems HVAC (Aircon) Other	Stairs and steps Fire separating walls Communal space i.e. laundry Carpark	Escalators Lifts Slass and glazing Slass and gla	Gymnasium Hallways and corridors Shops, offices and amenities		
			Building systems Electrical (fire safety) Building systems Hydraulic Building systems HVAC (Aircon) Other	Stairs and steps Fire separating walls Communal space i.e. laundry Carpark	Escalators Lifts Slass and glazing Slass and gla	Gymnasium Hallways and corridors Shops, offices and amenities		
			Building systems Electrical (fire safety) Building systems Hydraulic Building systems HVAC (Aircon) Other	Stairs and steps Fire separating walls Communal space i.e. laundry Carpark	Escalators Lifts Slass and glazing Slass and gla	Gymnasium Hallways and corridors Shops, offices and amenities		

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UNIT COMPLEX - EXTERNAL 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	UNIT OR LOCATION	LOCATION OF ITEM				BRIEF DESCRIPTION	PHOTO REFERENCE
			Building systems termite barriers, fire safety, alarm systems	Building foundations	Fences, walls and retaining walls	Decks and patios		
1	12/10/18	Unit 2A	Pump room hydraulics Fire safety	Structures on property i.e. shade sails, sheds, carports Fire separating walls	Driveways and paths Stairs and steps	Pool Roof and related structures i.e. guttering, soffits and	Fire separating walls have not been constructed in accordance with Australian Standards.	Photo 2
			(building or dwelling) Site drainage and storm water	Other		eaves		
			Building systems termite barriers, fire safety, alarm systems	Building foundations	Fences, walls and retaining walls	Decks and patios		
			Pump room hydraulics Fire safety	Structures on property i.e. shade sails, sheds, carports	Driveways and paths	Pool		
			External wall (building or dwelling)	Fire separating walls	Stairs and steps	Roof and related structures i.e. guttering, soffits and eaves		
			Site drainage and storm water	Other				
			Building systems termite barriers, fire safety, alarm systems	Building foundations	Fences, walls and retaining walls	Decks and patios		
			Pump room hydraulics Fire safety	Structures on property i.e. shade sails, sheds, carports	Driveways and paths	Pool		
			External wall (building or dwelling)	Fire separating walls	Stairs and steps	Roof and related structures i.e. guttering, soffits and eaves		
			Site drainage and storm water	Other				
			Building systems termite barriers, fire safety, alarm systems	Building foundations	Fences, walls and retaining walls	Decks and patios		
			Pump room hydraulics Fire safety	Structures on property i.e. shade sails, sheds, carports	Driveways and paths	Pool		
			External wall (building or dwelling)	Fire separating walls	Stairs and steps	Roof and related structures i.e. guttering, soffits and eaves		
			Site drainage and storm water	Other				

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