

Domestic Building Complaint

NOTE

- Before you lodge this complaint you must approach the person or company you are making the complaint against and try to resolve your problem.
- BACV is unable to take your complaint and act on your behalf if you have already lodged this dispute with the Courts or the Victorian Civil and Administrative Tribunal.
- Completing this form does not mean automatic acceptance of your complaint. BACV and Consumer Affairs Victoria reserve the right not to accept a complaint where it does not meet our guidelines.
- Complaints accepted on this form can be conciliated and investigated under either the *Domestic Building Contracts Act 1995* or the *Fair Trading Act 1999*.

Office use only
Case number

1. Location of the building work

Street address Suburb Postcode

2. Your details (you are the complainant)

Are you? (tick one only)
 Owner Builder Owner/Builder Other Registration no. (If applicable)

Title (Mr, Mrs, etc) Family name (surname) Given names

Name of company (if applicable) ACN

Street address Suburb Postcode

Home telephone number Business telephone number Mobile telephone number Email address (if applicable)

3. Details of who you are making this complaint about (they are the respondent)

Are they? (tick one only)
 Owner Builder Owner/Builder Other Registration no. (If applicable)

Title (Mr, Mrs, etc) Family name (surname) Given names

Name of company (if applicable) ACN

Street address Suburb Postcode

Business telephone number Mobile telephone number Email address (if applicable)

4. Warranty insurance details

Is the building work covered by warranty insurance?
 No Go to question 5.
 Yes If you have a copy of the insurance certificate you can attach a copy of the certificate and go to question 5. If you do not have a copy of the insurance certificate, provide the details of the insurer here.

Name of broker Name of insurance company Policy number Contact telephone number

5. Building permit details

Was a building permit issued for this work?
 No Go to question 6.
 Yes Permit number Date permit issued / /

Give details of any inspections carried out by a building surveyor (if you need more space, attach a separate page with all the details)

Date of inspection	Stage of work inspected	Work approved?	Building surveyor/Inspector	Registration number	Contact telephone no.
/ /		Yes <input type="checkbox"/> No <input type="checkbox"/>			
/ /		Yes <input type="checkbox"/> No <input type="checkbox"/>			
/ /		Yes <input type="checkbox"/> No <input type="checkbox"/>			
/ /		Yes <input type="checkbox"/> No <input type="checkbox"/>			

6. Details of your building contract - Complete all applicable dates and costings.

Date contract signed	/ /	Original contract amount	\$
Date work started	/ /	Extra costs during construction	\$
Date work stopped	/ /	Total payments made so far	\$
Date work completed	/ /	Amount owing on contract	\$
Date final payment made or due	/ /		

7. Complaint details

Who did you contact to try to resolve the dispute?

Name of person	Contact telephone number	Date of contact	How did you contact them?
		/ /	Phone <input type="checkbox"/> Writing <input type="checkbox"/> In person <input type="checkbox"/>
		/ /	Phone <input type="checkbox"/> Writing <input type="checkbox"/> In person <input type="checkbox"/>

Please provide full details of your complaint. Each complaint item (or defect) should be numbered and listed individually, for example:

1. Main bathroom shower leaking into adjoining wardrobe
2. Brickwork cracked under window in front wall of lounge room
3. Pay dispute

If you need to list more items, please attach a separate page with all the details.

Item number	Description of item	Date matter first noticed	What action has been taken to resolve this matter?

8. Will a member of the legal profession play an active role in this complaint?

Yes No

9. Do you have any written documents to support your complaint?

(Please refer to the attached checklist to see the documents required)

No Go to declaration and signature at **10**.

Yes Attach copies of all documents to this complaint form. Go to declaration and signature at **10**.

10. Declaration and signature

I declare that the information given in this form and any attached documents is true and correct to the best of my knowledge. I agree that the information I have given in this form and any attachments may be used or disclosed by Building Advice and Conciliation Victoria and Consumer Affairs Victoria to process this complaint. I declare that the items in dispute listed in part 7. of this form have not already been lodged with or decided by a Court or the Victorian Civil and Administrative Tribunal.

Signature

X

Date

/ /

11. How to lodge this complaint and copies of any documents

Post to:
Building Advice and Conciliation Victoria
GPO Box 123 Melbourne VIC 3000

or

Fax all pages to:
(03) 8684 6295

or

Deliver in person to:
113 Exhibition Street
Melbourne 3001
or your nearest regional office

12. What happens next? An officer from BACV will contact you following assessment of this complaint.

Privacy - The information on this form is being collected by Consumer Affairs Victoria (CAV) as part of the Building Advice and Conciliation Victoria (BACV) service provided. CAV is bound by laws that protect your privacy concerning the collection, use and disclosure of your personal information. CAV uses the personal information you supply to help us respond to your complaint. If you do not provide this information, CAV may not be able to process the complaint. CAV may need to disclose your personal information (that is, information about you and your complaint) to the other parties listed in this form and other government agencies including the Building Commission (BC) for dispute resolution and enforcement related purposes. You can request access to your personal information by telephoning 1300 55 75 59 or sending a request to BACV at the address listed above. CAV's privacy statement is available at www.consumer.vic.gov.au. BC's privacy statement is available at www.buildingcommission.com.au.



Building Advice and Conciliation Victoria

A joint service from **Consumer Affairs Victoria** and the **Building Commission**

Document Checklist for Domestic Building Complaints

Why use the checklist?

- Use this checklist to ensure that you provide all necessary documents.
- For your complaint to progress quickly, you **MUST** supply copies of all necessary documents.
- Failure to provide the necessary documents could delay the progress of your complaint.
- Provide copies of documents only. **DO NOT** provide originals.
- The documents required will depend on your circumstances and the nature of your building project.
- From the following checklists, use the list that is **CLOSEST** to your personal circumstances.
- If you require assistance, call our helpline on 1300 55 75 59.

Document checklists

• New house built on your land

Necessary documents	Yes	No	Comment
Building contract			
Approved plans			
Building specifications			
Building permit			
Domestic building insurance			
Occupancy permit			

• Building works to your property that cost over \$12,000 (eg renovation/extension)

Necessary documents	Yes	No	Comment
Building contract			
Approved plans			
Building specifications			
Building permit			
Domestic building insurance			
Certificate of final inspection			

• Building works to your property that cost under \$12,000 (eg renovation/extension)

Necessary documents	Yes	No	Comment
Building contract/quotes			
Approved plans			
Building specifications			
Building permit			
Domestic building insurance			
Certificate of final inspection			

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Document Checklist for Domestic Building Complaints

• Defects to a newly purchased home that is less than 10 years old

Necessary documents	Yes	No	Comment
Contract of sale			
Vendor Statement (S32)			
Approved plans			
Building specifications			
Building permit			
Occupancy permit			
Condition report (defects) ¹			

• A new home purchased off a plan

Necessary documents	Yes	No	Comment
Contract of sale			
Vendor Statement (S32)			
Approved plans			
Domestic building insurance			
Building permit			
Occupancy permit			

• Other building work (where no contracts were supplied)

Necessary documents	Yes	No	Comment
Quotation ²			
Description of works			
Receipts for payments			

Please Note

- Copies of building permits and approved plans are available from your local Council. Councils will charge a fee for the retrieval and copying of these documents. Use this link to find your local council: <http://www.dvc.vic.gov.au/web20/dvclgv.nsf/headingpagesdisplay/find+your+local+council>

¹ Condition report (defects) is only applicable to a house built by an owner-builder.

² If a written quotation was not supplied, please provide copies of any business cards, advertisements or any other information that could assist.