

© 2006 The Authors

In response to your request for input for the Committee of Inquiry into the QBSA, the following are points specifically regarding our own situation that I would recommend:

1. The QBSA take immediate, full and unqualified responsibility for the Ian Jennings admission of the grossly negligent QBSA inspection/report on the lethal dwelling in question, now demolished to protect lives, at [REDACTED].
2. The QBSA inspectors and officers responsible for this grossly negligent report face the most severe punishment available (dismissal) for this gross negligence and criminal prosecution.
3. The QBSA to provide immediate compensation for the home owners' unnecessary losses had the QBSA had not provided a grossly negligent report.
4. The QBSA immediately and permanently cancel any and all building industry licences for [REDACTED] and amend his QBSA Licence record to truthfully reflect his fraudulent, criminal, and lethal workmanship. At this point this builder can repeat his fraudulent conduct of showing work he did not complete by showing potential clients (victims) the house at this address built by a different builder and they like us won't know the truth of his lethal workmanship. It is essential that the public are provided accurate and true information regarding contractors from the QBSA website. If it can be done to protect consumers from individuals selling one dollar items on Ebay, it must be done for contractors whose behaviours risk the entire life savings of families and other consumers. Our builder fraudulently claimed to have built the work he showed us to get our business by deception. Even now, his record shows nil evidence of his shoddy work. In fact it reflects that he has successfully completed our home which we had to demolish. How does this protect other consumers from hiring this man who is obviously a very poor builder who behaves criminally???

5. The QBSA immediately and permanently cancel any and all building industry licences for [REDACTED] who admitted in QCAT compulsory conferences to providing a grossly negligent/fraudulent inspection report of the lethal dwelling (now demolished to protect lives) built at [REDACTED] [REDACTED] in defence of [REDACTED] spent less than 40 minutes on site and less than 20 minutes inspecting the dwelling and admitted to lying about the dwelling having no defects as indicated in his report. This company, and I'm certain its not the only one, is in the business of writing false inspection reports for fee. These behaviours must be stamped out.

In response to your request for input for the Committee of Inquiry into the QBSA, the following are points regarding changes to functions of the QBSA and, QCAT that I would recommend:

6. The Queensland Government immediate implement an independent home owners' advocate to ensure that home owners are treated fairly and without the obvious bias and negligence that is currently cultural within the QBSA.
7. The Queensland Government immediate move to have Compulsory Home Warranty Insurance provided by private industry such as with Compulsory Third Party Insurance to remove the obvious conflict of interest situation that currently exists within the QBSA. This would separate the issue of the Licensor, Regulator, Assessor, and Insurer being the same organisation. When Government organisations are driven by a KPI of BUDGET, and income bonuses are also tied to BUDGET, decisions of Government organisations will also be based on BUDGET and not TRUTH. This one action of separation of responsibility by relinquishing the insurance to private industry would also remove any and all future politically negative issues such as our situation from Government.
8. Implementation of an independent person to head the QBSA. It is absolutely essential that the head of the QBSA not have any conflicting interests such as being the head of or member of any other building industry body such as the QMBA, HIA, etc. Such affiliations absolutely prejudice the rights of the consumer.

9. Removal of all building disputes from QCAT. QCAT is not tied to rules of evidence and the Members are not technically knowledgeable in this area, and therefore cannot make decisions that are respectful of the evidence. We were constantly pressured by QCAT members to pay our builder. The evidence of the significant and dangerous extent builder's poor work was not considered by QCAT Members who were incredibly protective and biased toward the builder from the outset. In our situation the only piece of evidence that needed consideration for outcome was the faulty dangerous foundations as clearly identified by the BUILDER'S WITNESS. This evidence was completely ignored by QCAT. This decision would have been worth \$555 000 plus costs in our favour. Further, I believe there should be an immediate, full, and open investigation into any Official Corruption, Official Misconduct, Biased, Hostile, and Fraudulent behaviour against innocent home owners who are victims of criminal builders by [REDACTED] QCAT. **This investigation MUST include ALL building disputes adjudicated by [REDACTED] and the relationship between these and his elevation to the position of [REDACTED] QCAT.** In our case alone [REDACTED] has ignored damning evident of a death trap including irrefutable evidence from the builder's own engineer, that the dwelling built on the water front had no tie down capability and would have blown over in a breeze or floated away on the tide.

Regards

Malcolm Cronk