

**From:** Teresa Wareing <[REDACTED]>  
**Sent:** Tuesday, 11 September 2012 1:55 PM  
**To:** Transport Housing and Local Government Committee  
**Subject:** Inquiry into the Operation and Performance of the Queensland Building Services Authority

With respect to the Inquiry into the Operation and Performance of the Queensland Building Services Authority, I submit our family's experience below (as emailed recently to local member Mr David Kempton).

This experience demonstrates that BSA did nothing to intervene in a situation which clearly indicated imminent liquidation of a builder. This inaction left both the consumer and small businesses and trades high and dry. Earlier intervention would have benefited ourselves and minimised losses by the trades. Ultimately, the builder went into liquidation with hundreds of thousands of dollars of debt to local businesses, many small family-owned or sole trader establishments. In one of my last discussions with the builder he informed me that our opinion did no matter, the only opinion he cared about was 'our [the builder's] friends at the BSA'. Friends indeed, protecting him while he bankrupted himself and cost this town hundreds of thousands not to mention additional costs of claims for home warranty. I do not believe that the BSA fulfilled its charter in this instance and this is despite contacts at various levels and areas of the organisation.

In discussions with trades around finishing our home, I have yet to hear any positive feedback on the BSA. Our own level of faith in them is so low that we have opted not to draw on home warranty insurance as we have no trust in the BSA as an organisation. Instead we will deal direct with the builder's liquidator to finish our home and settle any sums owed in either direction. To opt to deal with a liquidator over the BSA says it all.

Teresa Wareing  
[REDACTED]

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11 SEP 2012

THLGC

**From:** [REDACTED]  
**To:** cook@parliament.qld.gov.au  
**Subject:** Complaint against Building Services Authority  
**Date:** Sat, 8 Sep 2012 23:10:33 +1000

Dear Sir

I am writing to enquire who oversees the BSA from within State Government. I would like to know this as I would like to place a formal complaint about the conduct of the BSA.

I am a homeowner left with an unfinished home after the liquidation of Tablelands builder [REDACTED] formerly trading as [REDACTED].

My complaint against the BSA is threefold:

- it did not involve itself despite consistent messages that [REDACTED] was in trouble
- it involved itself outside of its jurisdiction in providing some kind of defence to [REDACTED] in a building dispute whilst the contract was still afoot
- it has not properly managed a formal complaint by myself against [REDACTED] citing that insufficient evidence was provided despite their being full and clear evidence of wrongdoing by the builder

As a result of the BSA's inaction, [REDACTED] continued to trade and get deeper into debt, finally going into liquidation with hundreds of thousands of dollars owed to small businesses and trades. Our home stands unfinished. It was due for completion in August 2011..

The background is as follows. I contacted the BSA with concerns regarding this builder's conduct and capacity when progress on our home slowed. My first contact was August 2011 or earlier, when the builder slowed progress and asked for money before completion of appropriate stages of work. I was in repeated contact with BSA Cairns office ([REDACTED] and [REDACTED] and also with BSA General Manager [REDACTED] I repeatedly raised concerns

about slowing of works and the builders capacity. BSA did nothing to investigate my concerns. I offered to submit a formal complaint and was advised to keep a list of complaints and submit them to BSA my home was complete. The builder never completed my home, he went into liquidation.

I have learned that [REDACTED], General Manager BSA, visited our unfinished home at the invitation of the builder around August 2011. BSA did not consult with us, nor invite us to attend this home visit, nor offer to mediate our dispute with the builder. We are a phone call away yet BSA decided to visit our home alone with the builder, provide the builder with some kind of tacit support, and make no further investigations as to his solvency or capacity. BSA even used its industry contacts at Timber Queensland to provide an email to support the builder. BSA did not even know what it was supporting, they did not have a copy of our contract or know the full nature of this particular dispute. BSA have no jurisdiction to involve themselves in building disputes whilst contract is afoot. We had correctly escalated a building dispute to QCAT, BSA acted outside its scope and involved itself. Their involvement gave the builder false confidences in his position. BSA's involvement hindered the progress of our home and soured our relationship with the builder further. It angers me that despite several explicit and implied signs that this builder was insolvent, Ian Jennings did nothing to investigate. Our contract was signed in November 2010 and our home is not yet finished (it was due for completion in August 2011). BSA visited a home that was half built when it should have been built, fielded several calls from myself communicating my alarm at the slow progress of our build, and did nothing.

When the builder finally went into liquidation circa July 2012, I placed a detailed formal complaint about this builder with the BSA detailing several breaches of Code/legislation. The BSA sent me a two paragraph letter saying no evidence could be found. Sufficient evidence was provided, the BSA simply chose again to sit on its hands and do nothing. One person rang me to say he needed me to provide documentation as the builder had disconnected all his phones and was could not be contacted. I have provided the BSA with a full complaint yet still they did not want to lift a finger - they wanted me to prove the builder guilty instead of having the builder prove his innocence. If I am to do the BSA's work for them, they can send me a cheque. Whilst your government is paying them, taxpayers can reasonable expect that BSA fulfills its charter. My dealings with the BSA have led me to the conclusion they fail dismally in this.

When this builder went into liquidation they did so with unfinished homes and hundreds of thousands of dollars of debt to small businesses on the Tablelands. Had the BSA acted sooner, or acted at all, these losses could have been reduced significantly.

Your government is busy looking for dollars to save. My suggestion is to take the knife to the BSA, in my experience they do not assist homeowners nor do they support the trades. Instead, in our case, they helped a builder who was already insolvent trade for longer and get even deeper in debt. They are a disgrace.

To whom can I escalate my complaint?

Teresa Wareing  
[REDACTED]