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**Helping
Queenslanders
Build Better**

fact: n. 1. an event or thing known to have
FACT SHEET
2. a written record of
3. a piece of
information. get me all the facts of this case.

THE OLDER PERSONS' GUIDE TO THE BUILDING PROCESS

This fact sheet contains information to protect and assist older people when they undertake any building or renovation work.

A Quick Checklist

- Always** use BSA-licensed contractors (ask to see their licence card)
- Always** write down and check the licence details with BSA
- Always** get three written quotes
- Always** ask for and check contractors' past clients and previous work
- Always** record all details of your agreement in writing and keep a copy
- Always** decline to pay the full price up front, and **never** pay for uncompleted work
- Always** check the work fully before making final payment

Don't rush into a decision. Take time and seek advice. Remember that the *Domestic Building Contracts Act 2000* (the DBCA) gives you a "cooling-off" period of five business days in which to consider your decision.

Six Recommended Steps

Whether building a new house, renovating, or undertaking repairs or maintenance work, the BSA recommends you take the following steps:

1. Make a list of local contractors willing or able to do the job

Refer to local papers, Yellow Pages, trade directories, Industry Associations (like the Housing Industry Association or Master Builders Association), friends, hardware stores, the internet etc.

2. Only deal with licensed contractors - ask to see their licence card

A BSA licence card indicates that a contractor has met certain minimum requirements. For most domestic building work, where a BSA licensed contractor is used, BSA's Statutory Insurance Scheme provides protection against non-completion, defective work and subsidence.

Some work may not require a BSA licence. Check with BSA. Electricians, for example, have their own licensing system.

3. Write down and check the contractor's licence details with BSA

Write down the name and number from the contractor's licence card, then contact BSA to perform a licence search and confirm that the contractor has a current licence suitable for your job.

This free licence search is available by phoning the BSA on **1300 272 272**, dropping in to your local BSA office or visiting the BSA website (www.bsa.qld.gov.au). This search will give you details about the contractor's past performance, including whether the BSA has issued any 'directions' (orders) against the contractor to rectify defects in past work.

4. Obtain written quotes

Contact appropriately qualified and licensed contractors and obtain three written quotes for the same work. Compare all the quotes and remember that the cheapest may not always be the best in the long term.

5. Ask the contractor for details of past work and clients

Before you make a final decision or pay any money, ask your preferred contractor for details of past work and previous clients in your area. Contact two or three of their previous clients and ask them about the customer service, documentation, workmanship and value for money that the contractor provided.

6. Once you've selected a contractor

- ❑ Ensure all details of your agreement with the contractor are written down in a contract (or, if a small job, in a detailed written quote). Under the DBCA all domestic building work valued at more than \$3,300 must be covered by a written contract. Always keep a copy of the contract.

NOTE: The BSA publishes and sells a comprehensive plain-English 'New Home Construction' contract for construction of an entire home and a 'Renovation, Extension and Repair' contract for domestic building work on an existing home including renovations, extensions and routine repairs. Both of these contracts comply with the DBCA. The BSA also produces the 'Small Building Projects' contract which is recommended for minor domestic renovation and repairs priced at up to \$3,300. All these contracts can also be downloaded for free from BSA's website.

- ❑ Ensure the contractor provides you with copies of all supporting documentation (including, where required, plans and specifications, soil tests and contour surveys).
- ❑ Monitor the work and advise the contractor, verbally and in writing, of any problems as they arise.
- ❑ Be careful when making payments. Never pay the full price up front. Don't pay too much deposit, or pre-pay or over-pay the agreed progress payments.

NOTE: Under the DBCA the maximum deposits permitted are:

- 5% for domestic building work valued at \$20,000 or more, or
- up to 10% for work valued at more than \$3,300 but less than \$20,000.

Although the DBCA does not stipulate a maximum deposit for projects valued at less than \$3,300, the BSA recommends no more than 20%.

Preventing and Resolving Disputes

The most common causes of dispute are inaccurate or incomplete documentation and poor communication between the home owner and contractor. To help avoid disputes, mention any problems to the contractor immediately (both verbally and in writing). Give them a reasonable time to respond before contacting the BSA. (the BSA recommends 14 days, depending on the provisions in your contract.)

The BSA provides advice, information and practical assistance to help resolve building disputes. Dispute resolution procedures may include on-site inspections, directions to the contractor to rectify faulty work, or action in the Queensland Civil and Administrative Tribunal.

Don't delay seeking advice as there are time limits within which you must act. Where legal issues and a lot of money are involved, and other dispute resolution avenues have failed, you may need to contact a solicitor.

NOTE: The BSA publication *Facts for Home Builders and Renovators*, available on BSA's website or from any BSA office, provides details of the rights and responsibilities of home owners and dispute resolution methods.