

APPLICATION FOR TECHNICAL INSPECTION

Section 54FB(3) and *Building (Resolution of Residential Building Work Disputes) Regulations* 14 and 15
Northern Territory of Australia - *Building Act*

Information:

Pursuant to section 54FB(3) of the *Building Act*, the Commissioner of Residential Building Disputes may on the application of a current owner or builder of a residential building, appoint a person with relevant qualifications and expertise (the qualified person) to conduct a technical inspection and report to the Commissioner about whether the prescribed residential building work is defective.

SECTION 1 - APPLICANT			
NAME of APPLICANT If a company provide a contact name			
If the Applicant is the builder – the builder's registration number			
DAY TIME PHONE NUMBER		MOBILE PHONE NUMBER	
FAX NUMBER		EMAIL ADDRESS	
POSTAL ADDRESS			

SECTION 2 - RESPONDENT			
NAME of RESPONDENT If a company provide a contact name			
If the Respondent is the builder – the builder's registration number			
DAY TIME PHONE NUMBER		MOBILE PHONE NUMBER	
FAX NUMBER		EMAIL ADDRESS	
POSTAL ADDRESS			

SECTION 3 - DETAILS OF PROPERTY WHERE RESIDENTIAL BUILDING WORK IS LOCATED

LOT/PORTION NUMBER		LOCATION e.g. Town of Darwin	
PROPERTY ADDRESS			

SECTION 4 - EFFECTIVE PERIOD FOR MAKING APPLICATION

Note: an application may only be made during the effective period for consumer guarantees. Applicants should refer to Regulation 7 of the *Building (Resolution of Residential Building Work Disputes) Regulations*. Please take the time to read the questions carefully, as incorrectly completed applications may take longer to process and you may be required to provide further information. If you require assistance completing the form, please contact the Commissioner of Residential Building Disputes (contact details available at www.consumeraffairs.nt.gov.au).

Technical inspections only relate to defective work, not incomplete work.

Please choose which date is relevant to your circumstance

The effective period for allegations of defective work is the total of the construction period, and the defect period

For allegations of *defective work* and where the work has not been completed (*construction period*)

Specify the <u>start</u> date relevant to your circumstances	Date	Evidence attached
If there is a contract for the work – on the day the contract for the building work was entered into		
If there is no contract for the work – on the day the building permit is granted for the work		
Specify the <u>end</u> date relevant to your circumstances	Date	Evidence attached
If an Occupancy Permit was required - the date on which the Occupancy Permit was granted		
If an Occupancy Permit was not required - the date on which all declarations required under the <i>Building Act</i> were made i.e. builders declaration		
If the work has not been completed within the two years permitted by the building permit (which does not include any extension to the original building permit) the day on which the first building permit expired		

This information is required to calculate the defect period (1 year non-structural and 6 year structural), that follows completion of the work (the construction period). The defect period starts immediately after the last day of the construction period.

Note, that if the current owner becomes aware of the alleged defective work within 30 days before the end of the defect period, the defect period is extended for 30 days after the current owner became aware of the defect.

Example:

If an Occupancy Permit was required for relevant residential building work, and was granted on 1 July 2013 –

- the consumer guarantees in relation to non-structural defects would expire on 2 July 2014; and
- the consumer guarantees in relation to structural defects would expire on 2 July 2019.

SECTION 5 - EVIDENCE OF DISPUTE

Provide details of the allegation made by the current owner to the builder that the work is defective, whether it was made:

- In an application under section 54FC(1), provide details of the date on which the application was made:
- Verbally, provide details of the date on which the allegation was made and what the allegation was and how delivered (telephone, in person), or
- In writing, provide a copy of the written allegation and the date on which it was made.

Details:

SECTION 6 - DESCRIPTION OF WORK

TYPE OF CONSTRUCTION ACTIVITY

New
Extensions
Renovations with an extension

Building Permit Number

Please provide a brief description of the work and intended use

BUILDING CLASSIFICATION

Class of Building (BCA Part A3) – tick which applies

- Class 1a (for example, a house, townhouse, duplex)
- Class 2 no more than 3 residential storeys (for example, units, flats)
- Class 10 attached building and constructed at the same time as the above Class 1a or 2 building (for example, a garage, carport)
- Class 10 retaining wall (whenever constructed) that is not attached to a Class 1a or Class 2 building referred to above, but on which the integrity of such a building depends.

CONTRACT

Is the prescribed residential work being carried out under a building contract?Yes/No

If yes, attach a copy of the contract (including any specifications, plans or variations) to the application, unless you are a subsequent owner.

If no, or if you are a subsequent owner, attach a copy of any relevant plans, specifications, diagrams, or other documents pertaining to the build.

SECTION 7 - DESCRIPTION OF ALLEGED DEFECTIVE WORK

<p>Concise description of alleged defective work</p>		
<p>The alleged defect is – (Tick box)</p>	<p>Structural</p>	<p>Non-structural</p>

SECTION 8 - APPLICATION

I, the Applicant hereby :-

Request the Commissioner of Residential Building Disputes to appoint a qualified person to conduct a technical inspection of the residential building and to give the Commissioner a report as to whether the prescribed residential building work is defective.

.....
Applicant's signature

.....
Applicant's name

.....
Date

SECTION 9 - LODGEMENT AND NOTIFICATION

The completed application and fee should be addressed to the Commissioner of Residential Building Disputes and:

POSTED TO
Commissioner of Residential Building Disputes
PO Box 40946
CASUARINA NT 0811

OR

LODGED IN PERSON Monday to Friday 8:00AM to 4:00PM
1st Floor, The Met Building,
13 Scaturchio St
CASUARINA
Phone 8999 1999

Ground Floor, Green Well Building
50 Bath Street
ALICE SPRINGS
Phone 8999 1999 (Darwin)

Notification to other party: Pursuant to Regulation 15(3) of the *Building (Resolution of Residential Building Work Disputes) Regulations* the Applicant **MUST** give a copy of this application to the Respondent no later than 5 business days after the application is made.

The application must be accompanied by payment of the prescribed fee which is set out in Schedule 1 to the *Building (Resolution of residential building work disputes) Regulations*.

The fee is payable either by cheque made payable to the "Receiver of Territory Monies" (RTM), by credit card or cash (cash by lodging in person only - DO NOT SEND CASH VIA MAIL).

Payment Details

A cheque for \$ _____ is enclosed OR

Please debit my VISA MasterCard

For \$ _____

Credit Card Number

Expiry Date

Card holder name _____

Card holder signature _____ Date __/__/__

FOR OFFICE USE ONLY

Receipt Number

Date

Amount

Received By

PRIVACY

The Commissioner of Residential Building Disputes complies with the Information Privacy Principles scheduled to the *Information Act*. To view the Commissioner's Privacy Statement please access www.consumeraffairs.nt.gov.au or call 08 8999 1999.

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1st Floor, The Met Building, 13 Scaturchio Street
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Tel: (08) 8999 1999 or 1800 019 319
Fax: (08) 8935 7738

Web: www.consumeraffairs.nt.gov.au Email: consumer@nt.gov.au

ALICE SPRINGS

Ground Floor, Green Well Building
50 Bath Street
PO Box 1745, Alice Springs, NT 0871
Tel: (08) 8924 7052 Fax: (08) 8951 5442