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BUILDER FOUND GUILTY OF TRADING ILLEGALLY

A builder from the mid-north has been found guilty in the Magistrates Court of advertising himself as a legitimate builder and trading while unlicensed, without having any qualifications.

Samuel Francis from Lewiston, who was investigated by Consumer and Business Services (CBS), was charged with one count of trading unlicensed and one count of falsely advertising himself as an authorised builder, under the *Building Work Contractors Act 1995*.

Mr Francis has been ordered to pay a penalty of \$8,000 for trading unlicensed between May and December 2009, and for falsely advertising himself as a builder between August and October 2010.

During this time, Mr Francis misled consumers to believe he was a licensed builder and performed building work involving the removal and replacement of a cellar wall, installation of steps, paving and removal and replacement of a concrete driveway.

Between 4 August 2009 and 9 December 2009 the consumers paid the defendant a total of \$45,200 for the performance of building work, which was allegedly defective and has left consumers out of pocket and emotionally distraught.

Commissioner for Consumer Affairs, Paul White, says this is an example of what can happen when unsuspecting consumers use unlicensed building contractors.

“Mr Francis misled consumers to believe he was a licensed builder fit to carry out the work, when in reality he did not possess the necessary licence or qualifications,” the Commissioner said.

“At no time was Mr Francis legally authorised to perform any sort of building work, and the penalty handed down serves as a reminder to others that if trading unlicensed, you will be caught.”

Mr Francis was ordered by the court to pay compensation amounting to \$6020 to the affected consumers.

“It is imperative that consumers take the time to research prospective traders before entering a contract,” Mr White said.

“All licensed builders are registered on the licensed contractors’ register on the CBS website, and it is wise for consumers to check their builder on here, to confirm their legitimacy.”

“Instances of dodgy or unlicensed building work should be reported to CBS.”

To report concerns about suspected unlicensed builders, or to lodge a complaint, contact CBS on 13 1882 or visit <http://www.cbs.sa.gov.au/>.

For all media inquiries contact the 24-hour AGD Media Line 0422 007 069