

Media Release



Government of South Australia

Office of Consumer and
Business Affairs

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BUILDER FINED OVER UNLICENSED WORK

The Office of Consumer and Business Affairs (OCBA) has successfully prosecuted a suburban Adelaide building company after investigating reports of incomplete or non-existent building work.

Branfox Pty Ltd and its director, **Mark Axon** pleaded guilty to two complaints laid under the *Building Work Contractors Act 1995* in that they traded whilst unlicensed and purported that the business was legitimately licensed when it was not.

Hearing the matter yesterday, Magistrate Bill Ackland recorded convictions and fined the company \$7000 and the director, Mr Axon, \$3000.

The court was told that the company offered quotes, signed contracts and began work at Blackwood, Flagstaff Hill, Marion, Seacliff Park and Plympton Park when it was not licensed to do so and either failed to commence or complete the building work. One of the victims was an 84 year old asbestosis sufferer.

The company and its director also conspicuously quoted a builder's licence number which they did not legitimately have.

Magistrate Ackland noted that the second complaint related to conduct carried on by the defendants even after the Commissioner for Consumer Affairs warned them to cease building work following the laying of the first complaint. The magistrate described these as serious, defiant and contemptuous breaches of the provisions.

He said while the defendant returned a total of about \$10,000 paid by the clients, the money should never have been taken in the first place.

The court also heard the company is being wound up.

While the defendants traded under the name 'Able Fencing Ascot Park', the trading name 'Able Fencing' has since been sold to another company which is not connected with this matter.

The Commissioner for Consumer Affairs, David Green said the continuation of unlicensed trading even after a formal order was deeply concerning, but the full force of the law was inevitably brought to bear.

"The licensing system is there for the protection of all parties, especially the public," Mr. Green said.

"Before engaging a tradesperson, consumers should check that they are appropriately licensed to do the work, which can be done by searching on OCBA's website."

To report concerns about suspect builders, people can contact OCBA on 8204 9777 or 131 882 for regional callers, or visit the website: www.ocba.gov.au.