

Media Release



Government of South Australia

Office of Consumer and
Business Affairs

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Pergola building contractor fined \$15,800

The Commissioner for Consumer Affairs, Mal Hemmerling is warning building work contractors they will be caught if they trade unlicensed or seek too large of a deposit. This warning comes as Mr Andrew Fehlberg, an unlicensed building contractor, was fined \$15,800 by the Magistrates Court for breaching the *Building Work Contractors Act 1995*.

Fehlberg was found guilty of contracting for services without an appropriate licence, seeking deposits in excess of what is authorised and not holding policies of indemnity insurance.

The Commissioner said this result should alert other building work contractors in the industry about their legislative requirements.

“If a builder or tradesperson decides to contract for work they are not licensed to contract for they too may face prosecution action and a substantial fine. The licensing system is in place to protect consumers from building contractors who ignore the law.”

Under the Act persons who contract for domestic building work totalling \$12,000 or more that requires approval under the Development Act 1993, must provide the home owner with a certificate of indemnity insurance before building work commences. For building work of \$12,000 or more, a building work contractor is only allowed to ask for a \$1000 deposit, plus a limited number of third party related charges (if incurred).

Consumers are also encouraged to do their own research and check the Licensing Public Register to ensure they are contracting a licensed tradesperson or builder.

“Consumers can check the Licensing Public Register on the Office of Consumer and Business Affairs website (www.ocba.sa.gov.au) or contact OCBA by phone to check whether a tradesperson is licensed and what he or she is licensed to do.”

Consumer complaints about incomplete work or delays in building work of pergolas and verandas commenced an investigation by OCBA. Fehlberg contracted to build a number of pergolas, the majority of which were in excess of \$12,000. Consumers started to become concerned once they paid large deposits and saw little or no work.

To report unlicensed building activity or substandard work contact OCBA on 8204 9777 or 131 882 for country callers. To verify a person or company is licensed visit the Licensing Public Register at www.ocba.sa.gov.au.