

## SHODDY SUBURBAN 'BUILDER' PINGED AND FINED FOR THE SECOND TIME

A dodgy builder from the western suburbs was convicted and ordered to pay almost \$20,000 in fines and compensation for undertaking sub-standard building work, whilst unlicensed and trading under an unregistered business name.

Caught by the Office for Consumer and Business Affairs (OCBA) for the second time in five years, **Nicholas Martin** was charged with one count of carrying on business as an unlicensed builder under the *Building Work Contractors Act 1995*.

OCBA became aware of the unlicensed contractor when a South Plympton man lodged a complaint concerning incomplete building work.

In 2009, the consumer approached Mr Martin to provide a quote for paving and fencing work to his home.

Mr Martin provided a quote of \$7,300 for the paving work, which was paid in full by the consumer. He also provided a quote of \$2,780 for the fencing work, in which the consumer paid the required deposit of \$700, however the fencing and paving work was never completed by Mr Martin.

Despite receiving further payments for the fence, Mr Martin complained that this was not enough to complete the fence and he terminated the contract.

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

"OCBA investigations revealed that not only was the fencing work never complete, but the posts were misaligned, of varying heights and easily pulled out," the Commissioner said.

"Mr Martin provided much documentation concerning the work including plans, quotes and various correspondence under the stated the business name 'N Martin Investments Australia' and at no point has Mr Martin ever held a building licence, or a registered the business name.

"In this case, the defendant was left approximately \$7,300 out of pocket and required another contractor to complete the building work.

"Selecting the right builder to complete your home renovations is imperative to protect yourself from financial loss or with incomplete or unsafe work. Before hiring your next contractor, check their trader's licence to make sure they are actually qualified to do the job," Mr White said.

All licensed building contractors can be easily checked on the OCBA website

Mr Martin was fined \$9,500, \$650 in prosecution costs, plus court costs and the Victims of Crime Levy. He was also ordered to pay the consumer compensation of \$7,300.

To report concerns about suspected unlicensed builders, or to lodge a complaint, contact OCBA on 8204 9777 or 131 882 for regional callers, or visit [www.ocba.gov.au](http://www.ocba.gov.au).