

Building disputes

The Queensland Civil and Administrative Tribunal (QCAT) decides disputes about domestic and commercial building work.

A consumer, contractor, subcontractor or building industry professional may have a complaint related to building work including:

- the performance of the work
- a contract for the work
- a claim of negligence, nuisance or trespass other than a claim for personal injuries.

For the dispute to be heard by QCAT it must be about:

- the erection or construction of a building
- the renovation, alteration, extension, improvement or repair of a building
- the provision of electrical work, water supply, sewerage or drainage or other like services for a building
- the demolition, removal or location of a building
- any site work including the construction of a swimming pool, retaining structures, driveways or landscaping
- the preparation of plans and specifications, or bills of quantity related to the building work
- the inspection of a completed building
- fire protection work
- work prescribed under a regulation.

If you wish to make a complaint against a builder please contact the **Building Services Authority (BSA)** on **1300 272 272** or visit **www.bsa.qld.gov.au**.

QCAT also decides **disciplinary proceedings** against building certifiers and contractors and **reviews a wide range of decisions made by the BSA**. Visit the QCAT website for more information.

Making an application in relation to a building dispute

Complete and lodge one of the following:

- Form 26 – Application for domestic building disputes under the *Queensland Building Services Authority Act 1991*
- Form 25 – Application for commercial building disputes under the *Queensland Building Services Authority Act 1991*
- Form 23 – Application to review a decision
- Consent notice major commercial building dispute
- Alleged defective work/incomplete work schedule.

You can find and lodge these application forms at QCAT's Brisbane office or at your local Magistrates Court (excluding the Brisbane Magistrates Court). The forms are also available on QCAT's website.

You can also provide an expert's report with your application form to support your case.

When there are allegations of defective work, each defect must be described in detail.

What happens next?

Once your application and forms have been received QCAT will review the information you provided.

You will then be contacted by QCAT about the next steps that will happen in relation to your case.

Enforcing a QCAT decision

Even if QCAT makes a decision in your favour you may need to enforce the order, for instance if the other party ignores QCAT's decision.



You can seek an enforcement at the:

- Magistrates Court if the dispute is about money up to and including \$150,000
- District Court if the dispute is about money over \$150,000 and up to and including \$750,000
- Supreme Court if the dispute is about money over \$750,000.

Contact information

QCAT

Address: Level 9, Bank of Queensland Centre,

259 Queen Street, Brisbane, 4000

Post: GPO Box 1639, Brisbane Qld 4001

Phone: 1300 753 228

Email: enquiries@qcat.qld.gov.au

Website: www.qcat.qld.gov.au

The contact details of your **local Magistrates Court**, **District Court** and the **Supreme Court** are available in the phone book or at www.courts.qld.gov.au.