

**APPLICATION FOR TECHNICAL INSPECTION**

Section 54FB(3) and *Building (Resolution of Residential Building Work Disputes) Regulations* 14 and 15 Northern Territory of Australia - *Building Act*

## Information:

Pursuant to section 54FB(3) of the *Building Act,* the Commissioner of Residential Building Disputes may on the application of a current owner or builder of a residential building, appoint a person with relevant qualifications and expertise (the qualified person) to conduct a technical inspection and report to the Commissioner about whether the prescribed residential building work is defective.

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| **SECTION 1 - APPLICANT** | | | | |
| **NAME of APPLICANT**  **If a company provide a contact name** | |  | | |
| **If the Applicant is the builder –**  **the builder’s registration number** | |  | | |
| **DAY TIME PHONE NUMBER** |  | | **MOBILE PHONE**  **NUMBER** |  |
| **FAX NUMBER** |  | | **EMAIL ADDRESS** |  |
| **POSTAL ADDRESS** |  | | | |
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| **SECTION 2 - RESPONDENT** | | | | |
| **NAME of RESPONDENT**  **If a company provide a contact name** | |  | | |
| **If the Respondent is the**  **builder – the builder’s registration number** | |  | | |
| **DAY TIME PHONE**  **NUMBER** |  | | **MOBILE PHONE**  **NUMBER** |  |
| **FAX NUMBER** |  | | **EMAIL ADDRESS** |  |
| **POSTAL ADDRESS** |  | | | |
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| **SECTION 3 - DETAILS OF PROPERTY WHERE RESIDENTIAL BUILDING WORK IS LOCATED** | | | |
| **LOT/PORTION NUMBER** |  | **LOCATION e.g. Town of Darwin** |  |
| **PROPERTY ADDRESS** |  | | |
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| **SECTION 4 - EFFECTIVE PERIOD FOR MAKING APPLICATION** | | |
| ***Note:*** an application may only be made during the effective period for consumer guarantees. Applicants should refer to  Regulation 7 of the *Building (Resolution of Residential Building Work Disputes) Regulations*. Please take the time to read the questions carefully, as incorrectly completed applications may take longer to process and you may be required to provide further information. If you require assistance completing the form, please contact the Commissioner of Residential Building Disputes (contact details available at www.consumeraffairs.nt.gov.au).  **Technical inspections only relate to defective work, not incomplete work. Please choose which date is relevant to your circumstance**  **The effective period for allegations of defective work is the total of the construction period, and the defect period For allegations of *defective work* and where the work has not been completed (*construction period*)** | | |
| **Specify the start date relevant to your**  **circumstances** | **Date** | **Evidence attached** |
| If there is a contract for the work – on the day the  contract for the building work was entered into |  |  |
| If there is no contract for the work – on the day the  building permit is granted for the work |  |  |
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| **Specify the end date relevant to your**  **circumstances** | **Date** | **Evidence attached** |
| If an Occupancy Permit was required - the date on  which the Occupancy Permit was granted |  |  |
| If an Occupancy Permit was not required - the date  on which all declarations required under the  *Building Act* were made i.e. builders declaration |  |  |
| If the work has not been completed within the two  years permitted by the building permit (which does not include any extension to the original building permit) the day on which the first building permit expired |  |  |

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## This information is required to calculate the defect period (1 year non-structural and 6 year structural), that follows completion of the work (the construction period). The defect period starts immediately after the last day of the construction period.

**Note, that if the current owner becomes aware of the alleged defective work within 30 days before the end of the defect period, the defect period is extended for 30 days after the current owner became aware of the defect.**

**Example:**

If an Occupancy Permit was required for relevant residential building work, and was granted on 1 July 2013 –

* the consumer guarantees in relation to non-structural defects would expire on 2 July 2014; and
* the consumer guarantees in relation to structural defects would expire on 2 July 2019.

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| **SECTION 5 - EVIDENCE OF DISPUTE** |
| Provide details of the allegation made by the current owner to the builder that the work is defective, whether it was made:   1. In an application under section 54FC(1), provide details of the date on which the application was made: 2. Verbally, provide details of the date on which the allegation was made and what the allegation was and how delivered (telephone, in person), or 3. In writing, provide a copy of the written allegation and the date on which it was made. |
| Details: |

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# SECTION 6 - DESCRIPTION OF WORK

## TYPE OF CONSTRUCTION ACTIVITY

New Extensions

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Renovations with an extension

Building Permit Number

Please provide a brief description of the work and intended use

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## BUILDING CLASSIFICATION

**Class of Building** (BCA Part A3) – tick which applies

Class 1a (for example, a house, townhouse, duplex)

Class 2 no more than 3 residential storeys (for example, units, flats)

Class 10 attached building and constructed at the same time as the above Class 1a or 2 building (for example, a garage, carport)

Class 10 retaining wall (whenever constructed) that is not attached to a Class 1a or Class 2 building referred to above, but on which the integrity of such a building depends.

## CONTRACT

Is the prescribed residential work being carried out under a building contract? .. ………………………………………………..Yes/No

If yes**,** attach a copy of the contract (including any specifications, plans or variations) to the application, unless you are a subsequent owner.

If no, or if you are a subsequent owner, attach a copy of any relevant plans, specifications, diagrams, or other documents pertaining to the build.

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| **SECTION 7 - DESCRIPTION OF ALLEGED DEFECTIVE WORK** | | | |
| **Concise description of alleged defective work** |  | | |
| **The alleged defect is –**  (Tick box) | | **Structural** | **Non-structural** |

# SECTION 8 - APPLICATION

I, …………………………………………….……………………………………………………………………. the Applicant hereby :-

Request the Commissioner of Residential Building Disputes to appoint a qualified person to conduct a technical inspection of the residential building and to give the Commissioner a report as to whether the prescribed residential building work is defective.

......................................

Applicant’s signature

......................................

Applicant’s name

.......................................

Date

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# SECTION 9 - LODGEMENT AND NOTIFICATION

The completed application and fee should be addressed to the Commissioner of Residential Building Disputes and:

**POSTED TO** OR **LODGED IN PERSON** Monday to Friday 8:00AM to 4:00PM

Commissioner of Residential Building Disputes 1st Floor, The Met Building,

PO Box 40946 13 Scaturchio St

CASUARINA NT 0811 CASUARINA

Phone 8999 1999

Westpoint Complex

Cnr Railway and Stott Terraces ALICE SPRINGS

Phone 8999 1999 (Darwin)

**Notification to other party**: Pursuant to Regulation 15(3) of the *Building (Resolution of Residential Building Work Disputes) Regulations* the Applicant **MUST** give a copy of this application to the Respondent no later than 5 business days after the application is made.

The application must be accompanied by payment of the prescribed fee which is set out in Schedule 1 to the *Building (Resolution of residential building work disputes) Regulations.*

The fee is payable either by cheque made payable to the “Receiver of Territory Monies” (RTM), by credit card or cash (cash by lodging in person only- DO NOT SEND CASH VIA MAIL).

**Payment Details**

A cheque for $ is enclosed OR

Please debit my VISA MasterCard For $

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Credit Card Number Expiry Date

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Card holder name

Card holder signature Date / /

## FOR OFFICE USE ONLY

Receipt Number Date

Amount Received By

## PRIVACY

The Commissioner of Residential Building Disputes complies with the Information Privacy Principles scheduled to the *Information Act.* To view the Commissioner’s Privacy Statement please access [www.consumeraffairs.nt.gov.au](http://www.consumeraffairs.nt.gov.au/) or call 08 8999 1999.

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**DARWIN**

1st Floor, The Met Building, 13 Scaturchio Street

PO Box 40946, Casuarina NT 0811

Tel: (08) 8999 1999 or 1800 019 319

Fax: (08) 8935 7738

**Web:** [**www.consumeraffairs.nt.gov.au**](http://www.consumeraffairs.nt.gov.au/)

**ALICE SPRINGS**

Westpoint Complex

Cnr Railway and Stott Terraces PO Box 1745, Alice Springs, NT 0871

Tel: (08) 8924 7052 Fax: (08) 8951 5442

**Email:** [**consumer@nt.gov.au**](mailto:consumer@nt.gov.au)