



**LICENSED
BUILDING
PRACTITIONERS**
Building confidence

LICENSED AND UNLICENSED BUILDING PRACTITIONERS COMPLAINT FORM

FOR BUILDING CONSENT AUTHORITY AND TERRITORIAL AUTHORITY USE ONLY

You may use this form to make a complaint about the conduct of a Licensed Building Practitioner (“LBP”) or an unlicensed person carrying out restricted building work (RBW).

NOTE: A complaint about an LBP breaching the code of ethics can only be made if the breach took place on or after 25 October 2022.

- > Email your completed complaint form and supporting evidence to bpb@lbp.govt.nz
- > Once your complaint is received, you’ll be contacted by an investigator and you will be provided with a case number. The investigator will provide you with a dropbox link if your evidence is too large to email.
- > The investigator will request the property file during the investigation.

PART 1

Building Consent Authority / Territorial Authority:

Other _____

YOUR DETAILS (BCA/TA REPRESENTATIVE)

Title: Mr Mrs Miss Ms Other _____

Surname: _____

First names: _____

CONTACT DETAILS

Daytime: _____

Mobile: _____

Email address: _____



MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT
HĪKINA WHAKATUTUKI

Te Kāwanatanga o Aotearoa
New Zealand Government

PART 2

DETAILS OF PRACTITIONER YOU ARE COMPLAINING ABOUT (PLEASE INCLUDE LBP DETAILS IF APPLICABLE)

DETAILS

LBP number:
(if applicable)

Check LBP public register www.lbp.govt.nz if unknown

Licensed

Unlicensed

Did the practitioner you are complaining about carry out or supervise the building work on the project?

Carried out

Supervised

Both

Which licensing class(es) does the LBP hold? (if applicable)

Design

Site

Carpentry

Roofing

External Plastering

Brick and Blocklaying

Foundations

Title: Mr Mrs Miss Ms Other _____

Surname:

First names:

First name known as (if different from above):

Company name (if applicable):

Street address:

Postal address (if different from above):

Suburb:

Town/City:

Contact phone number:

Email address:

PART 3

WHEN AND WHERE THE WORK COMPLAINED ABOUT WAS DONE

DETAILS

Please include as much information as you can

Project start date: / /

Project end date: / /

Please provide dates on which you became aware of the issues.

Brief description of the work / issue	Date
	<input type="text" value="DD"/> / <input type="text" value="MM"/> / <input type="text" value="YYYY"/>
	<input type="text" value="DD"/> / <input type="text" value="MM"/> / <input type="text" value="YYYY"/>
	<input type="text" value="DD"/> / <input type="text" value="MM"/> / <input type="text" value="YYYY"/>

Street address:

Suburb: Town/City:

Your role in the project:

Name of owner (if not yourself):

Owner's contact phone number:

Owner's email address:

Date building consent issued? Date: / / Not issued

Has there been any minor variations? Yes No

Has there been any amendments to the consent? Yes No

Building consent number(s):

Has a Code Compliance Certificate (CCC) or Certificate of Acceptance ("COA") applied for or issued?

Yes (CCC) Yes (COA) No

Date issued: //

Was a Record of Building Work ("ROW") or Certificate of Design Work ("COW") provided by the practitioner you are complaining about?

Yes No *If yes, please provide a copy*

PART 4

GROUNDS FOR COMPLAINT

WHAT ARE THE ISSUES?

What work did the practitioner you are complaining about carry out and/or supervise? Tick as many as applicable

- | | | | |
|--|----------------------------------|--|--|
| <input type="checkbox"/> New structure | <input type="checkbox"/> Design | <input type="checkbox"/> Extension | <input type="checkbox"/> Brick and blocklaying |
| <input type="checkbox"/> Carpentry | <input type="checkbox"/> Roofing | <input type="checkbox"/> External plastering | <input type="checkbox"/> Reclad |
| <input type="checkbox"/> Foundations | <input type="checkbox"/> Other | <input type="checkbox"/> Alterations and additions | <input type="checkbox"/> Repairs and maintenance |

PLEASE SELECT THE APPLICABLE BREACHES BELOW

- Negligent and/or incompetent work:** practitioner has carried out or supervised work in a negligent/incompetent manner
- Failure to Provide: a Form 6a Record of Work**
- Failure to Provide a Form 2a Certificate of Work**
- Work does not comply with Building Consent:** practitioner has carried out or supervised work that does not comply with the Building Consent
- LBP held themselves out as being licensed to carry out/supervise work that they were not licensed to carry out/supervise**
- Disreputable Conduct:** LBP has conducted themselves in a manner that is likely to bring the regime for Licensed Building Practitioners into disrepute
- Code of Ethics:** LBP has breached the code of ethics prescribed by section 314A of the Building Act 2004. The breach must have taken place on or after 25 October 2022. See the principles below:
 - Principle 1:** Work Safely
 - Principle 2:** Act within the law
 - Principle 3:** Take responsibility for your actions
 - Principle 4:** Behave Professionally

CODE OF ETHICS PRINCIPLES FOR LICENSED BUILDING PRACTITIONERS (SECTION 317(1)(G), BUILDING ACT 2004)

The code of ethics is made up of 19 standards, sitting under the following four key principles:

Principle 1: Work Safely

- > Take responsibility for health and safety
- > Report unsafe behaviour by others on a building site
- > Avoid harming the environment

Principle 2: Act within the Law

- > Comply with the law
- > Report breaches of the law

Principle 3: Take Responsibility for your Actions

- > Know what building work you are allowed to do
- > Explain risks to your client
- > Inform and educate your client
- > Be accountable for building work carried out by you, or someone under your supervision
- > Advise clients of any delays as soon as they become apparent
- > Act in your client's interests
- > Generally, you should follow your client's instructions, unless the instructions are dangerous, are contrary to contracts or consents, or would mean you would not be acting within the law

Principle 4: Behave Professionally

- > Behave professionally
- > Act in good faith during dispute resolution
- > Price work fairly and reasonably
- > Declare and manage actual or potential conflicts of interest appropriately
- > Maintain confidentiality of client details unless there is good reason for sharing information
- > Acknowledge and respect the cultural norms and value of your clients and colleagues
- > Conduct your business in a methodical and responsible manner

WHAT ARE THE ISSUES?

IMPORTANT!

- > Please provide any relevant information in support of the breaches you have selected above. For example, details of the issues, clear and concise inspection notes and photos.
- > Please advise the investigator if you require a Dropbox link.

SUMMARY AND EVIDENCE OF BREACHES

PART 5

WITNESS(ES), IF ANY

IMPORTANT!

A witness is anyone (other than yourself) who observed the work being carried out, and/or the finished work and/or was a party to any discussions relating to the alleged non-compliance.

Please provide witness details below. If there is more than one witness, please provide their details on a separate page, using the same format.

WITNESS DETAILS

Title: Mr Mrs Miss Ms Revd Dr Other

Surname:

First names:

Company name (if applicable):

Role in project:

Street address:

Postal address (if different from above):

Suburb:

Town/City:

CONTACT DETAILS

Mobile:

Email address:

Outline the points of note the witness observed in relation to your complaint:

PART 6

DECLARATION

- > I agree to all documentation relating to this complaint being released to all parties involved and declare that the information I have supplied in this form is true and correct. I understand it is an offence under the Building Act 2004 to provide false or misleading information.
- > I am aware that all information relating to this complaint and investigation is subject to public release. I am aware that all information relating to this complaint and investigation is subject to public release. If the Ministry or Board receive a request for this material they will be required to consider its release, in whole or in part, in terms of the criteria set out in the Official Information Act 1982. The Act requires the information to be made available unless: (1) it is considered that there is a good reason, under the Act to withhold the information; and (2) that good reason outweighs the desirability, in the public interest, of making the information available. The grounds for withholding information are set out in the Official Information Act 1982.

(Please advise the Board in writing, if you have any objection to the release of any of the information/evidence you have provided and the reasons you believe it should be withheld).

SIGNATURE

Full Name:

Signature _____

Date: / /

on behalf of (name of BCA or TA):
