

Contractual Building Work Complaint

Section 21, Summary Proceedings Act 1957

You can use this form to make a complaint about the contractual requirements set out in Part 4A of the Building Act 2004.

Please read before completing this form

A complaint regarding Section 21 of Summary of Proceedings Act 1957 must relate to one or more of the following:

- no contract for building work worth more than \$30,000; and/or
- no disclosure statement and/or prescribed checklist before entering into a contract; and/or
- no prescribed information at the conclusion of the building work.

If your complaint meets the above criteria, you must provide evidence that supports your complaint. You can only make a complaint about contracts entered into after 1 January 2015. Section 21 of the Summary of Proceedings Act 1957 sets out that an infringement offence is only practicably enforceable when the offence occurred within 6 months of the Ministry of Business, Innovation and Employment (MBIE) being notified. Each infringement can be subject to a fine of \$500.

Upon receipt of this form MBIE may make any necessary enquiries so that decisions can be made regarding this complaint. This may include the necessary disclosure of the information to third parties.

If your complaint does not meet the criteria set out above and relates to building work, there are other complaint avenues that may suit your concerns.

- **Licensed Building Practitioner complaint:** You can make a complaint to the Building Practitioners Board (the Board) about work undertaken by a Licensed Building Practitioner. Please note, the Board does not resolve commercial disputes.
- **Non-Licensed builder complaint:** You can make a complaint to MBIE about restricted building work undertaken by a non-licensed builder.
- **Disputes Tribunal of New Zealand:** You can contact the Disputes Tribunal for matters relating to overcharging, damage to property or other matters of unsatisfactory service delivery.

The completed form can be:

Emailed to:

Investigations@mbie.govt.nz

Sent to:

Investigations Team
Occupational Regulation
Te Whakatairanga Service Delivery
Ministry of Business, Innovation and Employment
PO Box 1473
Wellington 6140



PART A: YOUR DETAILS

Title (please tick one): Mr Mrs Ms Miss

Surname: First names:

Company name:
(if applicable)

Physical address:

STREET NAME SUBURB

CITY POSTCODE

Mailing address (if different from above):

Phone number: Mobile:

Email address:



PART B: DETAILS OF THE BUILDING CONTRACTOR YOU ARE COMPLAINING ABOUT

(the person or company you contracted to carry out the building work)

Title (please tick one): Mr Mrs Ms Miss

Surname: First names:

Licence number (if applicable, ie LBP number or EW number):

Company name:
(if applicable)

Physical address:

STREET NAME SUBURB

CITY POSTCODE

Mailing address (if different from above):

Phone number: Mobile:

Email address:



PART C: DETAILS OF CONTRACT ENTERED INTO

(either an actual signed contract, or details of work carried out)

Date contract signed:
(if applicable)

Date(s) work undertaken:

Was a contract signed? *(please tick one)*: Yes *(please attach)* No Don't know

What was the total value of the work undertaken?

Did you receive a disclosure statement before entering into the contract? *(please tick one)*:
 Yes *(please attach)* No Don't know

Did you receive the prescribed checklist before entering into the contract? *(please tick one)*:
 Yes *(please attach)* No Don't know

Did you receive the prescribed information at the conclusion of the work? *(please tick one)*:
 Yes *(please attach)* No Don't know

PROPERTY DETAILS OF WHERE THE WORK WAS CARRIED OUT:

Physical address:

<input type="text" value="STREET NAME"/>	<input type="text" value="SUBURB"/>
<input type="text" value="CITY"/>	<input type="text" value="POSTCODE"/>

Are you the owner of the property? *(please tick one)*: Yes No

Name the owner of the property *(if not yourself)*:

Owner's phone number: Owner's mobile:

Owner's email address:



PART D: DETAILS OF THE COMPLAINT

(please provide as much detail as possible about the conduct you are complaining about)

 **PART E: EVIDENCE IN SUPPORT OF THE COMPLAINT**

ie attachment 1 = contract

IMPORTANT NOTE:

- please detail any evidence you are able to provide to support your complaint.
- please clearly label and attach copies of any evidential documents and/or photographs to support your complaint.

 **PART F: DECLARATION**

1. 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.
2. I am aware that all information I provide is subject to public release. If MBIE receives 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.

Signed:

Date:

Please print name: