

Complain about someone doing or supervising RBW without a licence

Last updated: 16 March 2018

A building practitioner cannot do or supervise restricted building work if they don't have the appropriate licence (there are several different licence classes).

If restricted building work has been done by someone who is not an LBP you need to complain to our Occupational Licensing Team (OLT). Your complaint should relate to one or more of the following:

- a person has undertaken restricted building work without being licensed or supervised by a licensed person
- a person held themselves out to hold a licence when they were not licensed
- a person engaged another person to carry out or supervise restricted building work and knew the other person was not licensed.

This does not apply to owner-builders who have applied for an [owner-builder exemption for restricted building work](https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/owner-builder-obligations/) (<https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/owner-builder-obligations/>).

Restricted building work (<https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/use-licensed-people-for-restricted-building-work/restricted-building-work/>) explained.

Learn more about [licence classes](http://www.lbp.govt.nz/lbp/the-board/getting-licensed/lbp-licensing-classes) (<http://www.lbp.govt.nz/lbp/the-board/getting-licensed/lbp-licensing-classes>) on the LBP website.

OLT may prosecute a building practitioner if they either:

- hold themselves out to be a licensed building practitioner when they are not
- undertake restricted building work while not appropriately licensed or supervised
- knowingly engage a non-licensed building practitioner to undertake restricted building work.

To complain, download and complete the [Complaint against a non-licensed builder form](https://www.building.govt.nzmailto:investigations@mbie.govt.nz) and return it by email to investigations@mbie.govt.nz (<https://www.building.govt.nzmailto:investigations@mbie.govt.nz>) or post to:

Investigations Team
Occupational Licensing
Consumer Protection and Standards
Ministry of Business, Innovation and Employment
PO Box 1473
Wellington

We will investigate and determine whether to prosecute.

You could also talk to your council. In their capacity as a building consent authority they:

- can issue an infringement notice for \$750 to a person who carries out restricted building work while unlicensed, inappropriately licensed or unsupervised
- should refuse to issue a building consent for proposed restricted building work (RBW) if the consent application is not accompanied by a valid Certificate of Design Work
- can issue the owner, the building consent holder or both with a 'notice to fix' to stop any further building work if an application does not identify the LBPs who are to carry out restricted building work.

Find your council's contact details on the [local councils](http://www.localcouncils.govt.nz/) (<http://www.localcouncils.govt.nz/>) website.

Complaint against a non-licensed builder form

[PDF 320 KB]

<https://www.building.govt.nz/assets/Uploads/resolving-problems/RBW-allegation-form.pdf>

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- with compliance with the Building Act, it is published under section 175 of the Building Act
- with a Weathertight Services claim, it is published under section 12 of the Weathertight Homes Resolution Services Act 2006.