

# COMPLIANCE AND ENFORCEMENT METRICS

2021 – 2022

## RESOLUTION SERVICES

Building disputes between homeowners and principal contractors received	5,450
Building disputes between homeowners and principal contractors finalised*	4,658
Directions to Rectify issued	979
Directions to Rectify withdrawn	142
Directions to Rectify complied with	297
Directions to Rectify not complied with**	413
Failure to rectify penalty infringement notices issued	368
Failure to rectify penalty infringement notices value	\$1,008,222

\* Not all disputes are received in the financial year are finalised in the same financial year

\*\* Not all directions issued in the financial year are completed in the same financial year

## TOP 10 BUILDING DEFECTS (BY TYPE)

1. Roof cladding
2. Joinery
3. Painting
4. Drainage
5. Internal Wet Areas Waterproofing Membranes
6. Floor Tiling
7. Driveways and Paths
8. External Waterproofing Membranes
9. Internal Wall Linings
10. Internal ceiling linings

## TECHNICAL STANDARDS UNIT\*

Sites attended	1,375
Under construction inspections	5,801
Improvement Notices issued from site visits/inspections	35

\* The Technical Standards Unit audits building work under construction and investigates issues pertaining to complex building work.

## NON-CONFORMING BUILDING PRODUCTS

Cases/enquiries opened	193
Cases/enquiries closed*	200
Finding of non-conforming building product**	8

\* NCBP audits commenced in the financial year may not be closed in the same financial year.

\*\* Does not include matters which were reported as declared non-conforming building products in the 2020-21 financial year and closed in the 2021-22 financial year.

## PLUMBING

Notifiable work audits	550
Water-based fire protection audits to detect unlicensed work	38
Plumbing industry events	8

## CERTIFICATION

### CERTIFIER COMPLAINTS

Finalised	217
Complaints withdrawn or dismissed	181
Findings of unsatisfactory conduct	19
Certifiers reprimanded	19
Certifier requirement to comply with the <i>Building Act 1975</i>	3
Condition - Peer review for 12 months	1
Findings of satisfactory conduct	18

### TECHNICAL AUDITS

Finalised	4
Findings of unsatisfactory conduct	0
Findings of satisfactory conduct	4

### ASSESSMENT AUDITS

Finalised	4
Findings of unsatisfactory conduct	1
Findings of satisfactory conduct	3

## COMPLIANCE TRIAGE\*

Compliance complaints received	2,702
Safety incident notifications received	1,028
Monies owed complaints received	312

\*Compliance Triage conduct the initial assessment of compliance complaints and safety notifications to determine if sufficient evidence exists to investigate the matter.

## COMPLIANCE AND ENFORCEMENT

### ACTIVITIES\*

Cases opened	3,193
Cases closed	2,964
Penalty infringement notices issued	878
Penalty infringement notices value	\$1,650,080
Warnings issued	737
Demerit points issued	5,144
Prosecutions concluded	6
Disciplinary action taken	1

### AUDITS

#### FLOOD RECOVERY ACTIVITIES

Addresses attended	1,016
Persons engaged	343
Information Sheets distributed	1,195

#### "BOOTS ON THE GROUND" AUDIT

Number of sites visited	22
Number of interviews conducted	84
Number of suspected unlicensed contractors**	0

#### RUSSELL AND MACLEAY ISLANDS AUDIT

Number of sites visited	37
Number of interviews conducted	3
Number of suspected unlicensed contractors**	8

\*includes Compliance Investigations, Plumbing & Pools, Regional Service Centres and Resolution Services Compliance

\*\*further investigation is required to determine if offence has been committed

COMPLIANCE INVESTIGATION TYPE	OPENED	CLOSED
Unlawful Building Work (unlicensed contracting)	686	651
Improper Use of Licence	203	172
Licensed Contractor Contracting with ULC	13	13
Schedule 1B - Domestic Contract Offences	802	719
Part 5 Investigation (non or late payment of insurance)	336	312
Part 5 Audit (insurance audit)	6	6
Advertising	349	354
Site Signs	11	15
Document Production (s.105Q)	184	193
BIF - Claiming Progress Payment (s.76)	119	120
Notification of Safety Matter	62	65
Part 6A Disciplinary Proceedings	29	20
Part 4A QBCC Act - Investigation (commercial contracts)	52	49
Supervision	20	18
Nominee Investigation	0	1
False and Misleading Investigation	2	4
Licensee must advise of change of circumstance	8	7
Avoidance of Contractual Obligations (s.42E)	5	3
Partnership Investigation	3	2
Building Product Undertaking	1	0
Investigator Powers (s.105T)	17	13
BIF Act - Establishing Project Bank Accounts	1	0
BIF Act - Contractor given notice of Claim	1	0
BIF Act - Adjudication Disputed Progress Payment (s.90)	48	53
BIF Act - Information Sharing	1	8
BIF Act - Payment Disputes	2	1
BIF Act - Retention Amounts	1	1
BIF Act - Notice of Claim	2	2
NCBP Offences	18	15
<b>Total</b>	<b>2982</b>	<b>2817</b>

## COMPLIANCE COURT OUTCOMES

PROSECUTION OFFENCE TYPE	OUTCOME	PENALTY AMOUNT
S.42(1) Unlicensed contracting Schedule 1B s.33(1) excess domestic deposit	Defendant fined \$3,800, to pay legal costs of \$351.80, and restitution of \$5064.	\$3,800
s.42(1) unlicensed contracting Schedule 1B s.30 no or non-compliant domestic contract Schedule 1B s.33(1) excess domestic deposit	No fine or costs ordered. Conviction recorded.	\$0
s.42(1) unlicensed contracting	Defendant fined \$4,500, to pay legal costs of \$355.35, and restitution of \$7,000. No conviction recorded	\$4,500
s.68B(2) no or late payment of insurance Schedule 1B s.30 no or non-compliant domestic contract Schedule 1B s.33(1) excess domestic deposit	Defendant fined \$13,337.19.	\$13,337.20
s.42(1) unlicensed contracting Schedule 1B s.33(1) excess domestic deposit	Defendant fined \$5,000.00, to pay legal costs of \$1,355.35, and to pay restitution of \$9,937.00. Conviction recorded.	\$5,000.00
s.42(1) unlicensed contracting s.50D(1) pretending to be licensee Schedule 1B s.30 no or non-compliant domestic contract	Defendant fined \$1,500.00, and no legal costs ordered. Conviction not recorded.	\$1,500.00
s.74B(k) licensee contravenes a condition of the licence	Penalty in the amount of \$2,135.00. No reprimand.	-

QBCC ACT OFFENCE OUTCOMES	WARNINGS	PENALTY INFRINGEMENT NOTICES	PENALTY INFRINGEMENT NOTICES VALUE
s.42(1) unlicensed contracting	71	287	\$767,019
s.42C unlicensed Fire Protection	0	1	\$2,669
s.51(2) licence borrowing	33	22	\$57,224
s.50D(1) pretending to be licensee		9	\$24,197
S51(3) licensee using another licensee's card		1	\$2,757
s.51A(1) licensee helping unlicensed person		0	0
s.51(1) licence lending		6	\$16,132
s.51B(2) licensed person engaging ULC		3	2
s.76 BIF Act - no or late payment schedule	1	25	\$36,878
s.90(2) BIF Act - failing or late payment of adjudicated amount		8	\$44,915
s.90(3) BIF Act - respondent to provide evidence of paid adjudicated amount before due date		2	\$2,756
s.67G no or non-compliant commercial contract	22	8	\$8,606
s.52(1) no or non-compliant site sign	9	0	0
s.105R failing to produce documents	0	1	\$2,757
Sch 1B s.30 no or non-compliant domestic contract	285	137	\$183,513
Sch 1B s.33(1) excess domestic deposit		103	\$138,327
Sch 1B s.34(1) payment before completion of domestic work		11	\$7,285
Sch 1B s.15 no copy of contract to building owner		0	0
Sch 1B s.16(2) no copy of commencement notice		6	\$3,177
Sch 1B s.18(2) no copy of consumer building guide		1	\$266
Sch 1B s.40(2) no copy of variation provided		4	\$1,059
Sch 1B s.40(5) no variation in writing before work commences		7	\$1,837
Sch1B s.41(1) variation requirements		0	0
Sch 1B s.42(3) signed copy of extension of time		0	0
s.53C(2) unlicensed person advertising	155	40	\$54,680
s.54 licensee non-compliant advertisement		8	\$3,796
s.68B(2) no or late payment of insurance	89	94	\$125,151
s.68(1) non-payment of insurance – previous legislation		0	0
s.43 supervision offence	2	1	\$2,757
s.101 licensee failing to update details with QBCC	2	1	\$275
s. 54A notification of a safety incident	15	0	\$0
<b>TOTAL</b>	<b>687</b>	<b>785</b>	<b>\$1,490,167</b>

Note: this table does not include all warnings and penalty infringement notices issued.

## LICENSING

Licence applications approved	14,287
Owner Builder applications approved	2,988
Licence cancelations*	2,569
Licence suspensions*	206
Show Cause notices issued (safety incidents and monies owed) *	272
Disqualifications*	7

\* Does not include licence action taken by Financial Compliance

## REASONS FOR LICENCE SUSPENSIONS AND CANCELLATIONS

	SUSPENSION	CANCELLATION
S.38 SUSPENSION FOR NON-PAYMENT OF FEE		
Failure to pay licence renewal fee	10,520	3,817
S.48 CANCELLATION OR SUSPENSION OF A LICENCE		
Licensee was convicted of an indictable offence s.48(1)(c)	0	2
Licensee company ceases to have a nominee s.48(1)(d)	131	63
Breach of licence condition – annual reporting s.48(1)(f)	3231	1709
Breach of licence condition – failure to comply with MFR (excluding monies owed and Pi insurance) s.48(1)(f)	61	25
Breach of licence condition – failure to pay debts s.48(1)(f)	53	21
Breach of licence condition – other s.48(1)(f)	9	11
Failure to comply with a financial audit s.48(1)(f)	36	14
Building (or other work) caused death, grievous bodily harm or involved a serious risk to health and safety of a person s.48(1)(g)	1	0
Licensee owed an amount to the QBCC and failed to comply with a demand to discharge the debt s.48(1)(h)	8	5
Licensee or director not fit and proper to hold a licence. S.48(1)(i)	0	7
Licensee's Interstate or NZ licence was suspended or cancelled s.48(2)	0	2
FINANCIAL COMPLIANCE		
Financial audits commenced	303	
Requests for internal management accounts	56	
S.49A IMMEDIATE SUSPENSION		
Immediate suspension	4	
PART 3A EXCLUSION DUE TO FINANCIAL EVENTS		
Excluded individual or Company		236
Permanently excluded individuals		13
PART 3E DISQUALIFICATION DUE TO ACCUMULATED DEMERIT POINTS		
Disqualified individual		4*
Permanently disqualified individual		3**

\* includes 2 non-licensees

\*\* includes 3 non-licensees

**For more information**

Visit [qbcc.qld.gov.au](http://qbcc.qld.gov.au) or call us on 139 333.

