

Carpenter convicted and fined \$5,000 for illegal building work

A carpenter has been convicted and fined \$5000 by the Dandenong Magistrates' Court for seven breaches of the Building Act and Domestic Building Contracts Act.

Chameoeun Soun, of Hammerhead Carpentry & Design, was hired by a property owner in October 2015 to carry out \$7000 worth of renovation work in Cranbourne. At the time, projects valued at more than \$5000 required the builder and owner to enter into a major domestic building contract, and could only be entered by a registered builder. Mr Soun has never been registered with the Victorian Building Authority.

Mr Soun failed to provide the property owner with a formal contract and received a deposit greater than 10 per cent of the contract price before commencing work, breaching the Domestic Building Contracts Act.

In November 2015, the property owner hired Mr Soun to build a laundry, which Mr Soun worked on without obtaining the required building permit. The owner also hired Mr Soun to build a carport valued at \$6000, and again did not enter a formal contract for this additional work.

In February 2016, Mr Soun stopped working on the property, and left the work unfinished.

When interviewed by the VBA, Mr Soun said he was unaware he could not enter into a building contract valued at more than \$5000 without being a registered builder. He also said he didn't know a permit was necessary for the laundry work.

He was scheduled to appear in the Dandenong Magistrates' Court on 17 January 2019, but did not attend or appoint legal representation. The matter proceeded in Mr Soun's absence. The Court convicted Mr Soun and fined him a total of \$5000 plus costs.

The VBA's Acting Chief Executive Officer, John Thompson, said anyone carrying out building work needs to know their legal obligations regarding building contracts and permits.

"The regulations for carrying out building work are clearly stated in the Building Act and Domestic Building Contracts Act," Mr Thompson said. "These laws are designed to protect property owners and maintain proper standards in the building industry.

"This case is a good reminder that home owners should always check whether their builder is registered before entering into a contract."

Home owners can visit vba.vic.gov.au/find to check the registration of their builder.

The threshold for major domestic building projects was raised from \$5000 to \$10,000 in August 2017.

ENDS

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