

Application to Terminate a Private Building Surveyor - Company / Trust Ownership

Pursuant to Section 81 of the Building Act 1993 (Vic)

This form may be completed by the Property Owner(s) / Agent on behalf of the Property Owner / Relevant Building Surveyor. **Mandatory fields are marked with red or ***.

Do not complete this form if you answer **yes** to the questions below:

- (i) Are you applying to terminate a building surveyor for **multiple sites**? (please email vbaterminations@vba.vic.gov.au with this information instead of completing this form)
- (ii) Is the site owned by a **individual**? (please complete [Application to Terminate a Victorian Private Building Surveyor - Property Owners](#) form)
- (iii) Is the building surveyor **unable to practice** because of death, incapacity, bankruptcy, cancellation or suspension of registration? (please complete [Notice of Intention to Appoint a new Building Surveyor](#) form)
- (iv) Has the building work/building permit been cancelled? You do not need to apply for a termination. However, you must notify your council and notify the VBA by completing the VBA's [Notification of Cancellation of Building Work](#) form)
- (v) Have you discussed this matter with the private building surveyor you are wanting to terminate and does the private building surveyor agree? If yes, the transfer of function option should be considered. For further information, please refer to the VBA website at www.vba.vic.gov.au.

1. Are you acting on behalf of or are you the:

Beneficiary of the Trust that owns the property

a. Attach written authorisation of the trustees of the trust to make this application

b. Attach copy of the Deed of Trust

Trust name

Trustee name

ABN

OR

Company director

a. Attach copy of ASIC (Australian Securities and Investments Commission) extract showing names of the directors

Company or Body Corporate name

ACN

ABN

b. If the company is set up with two or more directors, attach Authority to Act signed by two directors



2. Applicant contact details

Title Given names Family names (Surname)

Position held at the company/trust (if applicable) Name of the company/trust (if applicable)

Postal address (Lot No., Street No., Unit or Level, Street Name, Suburb and Postcode)

Home phone Business phone Mobile phone Email

3. Property owner contact details (only complete if different to applicant details above)

Title Given names Family names (Surname)

Position held at the company/trust (if applicable) Name of the company/trust (if applicable)

Postal address (Lot No., Street No., Unit or Level, Street Name, Suburb and Postcode)

Home phone Business phone Mobile phone Email

4. Attach Certificate of Title / Register Search Statement* **Attach copy**

5. Building work location (enter one location)

Lot no. Street no. Unit no. Street name

Suburb Postcode

6. Brief description of building work

7. Details of the status of building work

a. Has the building permit been issued for this building work by the relevant building surveyor?

Yes, building permit number:

Attach copy

No



b. Has the building work commenced?

Yes

No

c. Do you intend to complete the building work?

Yes

No

d. Has a notice or building order been issued for the building

Yes Building Notice Building order **Attach copy**

No

8. Details of the first relevant building surveyor appointed

Title Given name Family names (Surname) Registration No.

Name of company (if applicable) Company Registration No.

Postal Address Suburb Postcode

Business phone Mobile phone Email

9. Date of appointment of the first relevant building surveyor:

Attach a copy of the appointment (either document below is accepted)

Section 80, or

Copy of the Application for a building permit

10. Did the applicant appoint the relevant building surveyor?

Yes

No

11. Did another person appoint the relevant building surveyor?

Yes - provide information:

No

12. Is there more than one building surveyor appointed for the same work?

Yes (**go to question 13** - provide details of the second building surveyor below)

No (**skip to question 15**)

**13. Details of the second relevant building surveyor appointed (if applicable)**

Title Given name Family names (Surname) Registration No.

Name of company (if applicable) Company Registration No.

Postal Address Suburb Postcode

Business phone Mobile phone Email

14. Date of appointment of the second relevant building surveyor:

Provide a copy of the appointment (either document below is accepted)

Section 80, or

Copy of the Application for a building permit

Note: Under the *Building Act 1993* section 79(2), a person must not appoint a private building surveyor to complete any functions set out in section 76 in respect of a building or building work if another building surveyor has already commenced carrying out the functions in respect of that building or building work.

15. Has the building work changed?

Yes - describe how the building work has changed:

No

16. Explain the reason/s for the termination of the appointment of the first building surveyor (no more than 100 words)¹

¹ Please be aware that your reasons for the application may be disclosed to the building surveyor.



TO FACILITATE THE TRANSFER OF THE APPOINTMENT

17. Have you discussed your intentions to terminate the first building surveyor's appointment with them?

Yes (attach their letter of agreement to terminate their appointment) **Attached**

No (provide a reason below and attach evidence to explain why you cannot get the first building surveyor to agree to terminate their appointment) **Attached**

18. Have you identified a new building surveyor who is willing to take over the transfer of the function for this appointment or building work?

Yes (attach their letter of acceptance to take over transfer) **Attached**

No **(Do not submit this application yet. The VBA cannot grant a termination unless you have identified a new building surveyor willing to take over the transfer. Visit the VBA website and look up a list of Registered Building Practitioners by clicking here.)**

19. Contact details of the proposed new relevant building surveyor willing to accept the transfer of functions

Title	Given name	Family names (Surname)	Registration No.
Name of company (if applicable)			Company Registration No.
Postal Address		Suburb	Postcode
Business phone	Mobile phone	Email	



NOTE: The applicant must endeavour to complete the application form and provide all supporting information/documentation when submitting this form.

If supporting documents are missing, the application will be returned to the applicant, so please use the checklist below to ensure your application is processed in a timely manner.

Checklist of documents required to support this application		
Description	Relates to Question	Tick enclosed items
Authority letter for all beneficiary of the Trust OR company director(s)	1 [^]	
Deed of Trust OR ASIC extract with the names of the directors	1 [^]	
Certificate of Title / Register Search Statement	4 [^]	
Building Permit, if issued	7.a [^]	
Copy of building notice if any (pursuant to section 106) OR building orders if any	7.d [^]	
Section 80 Appointment from the 1st relevant building surveyor OR Application for Building Permit from the 1st relevant building surveyor	9 [^]	
Section 80 Appointment from the 2nd relevant building surveyor OR Application for Building Permit from the 2nd relevant building surveyor	14	
Letter from the 1st relevant building surveyor willing to be terminated OR relevant evidence of attempts to contact	17 [^]	
Letter from the new relevant building surveyor willing to accept the transfer of functions	18 [^]	

[^] Denotes what documents are required for **ALL** applications



Declaration

I declare that the information given in this form and any attached documents is true and correct, to the best of my knowledge. I agree the information i have given in this form and any attachments may be used or disclosed by the Victorian Building Authority to process this request.

Applicant name:

Applicant signature:

Date:

YOUR PRIVACY

By lodging this application with the Victorian Building Authority (VBA) you agree that the information you have provided and any attachments may be used or disclosed by the VBA to process this application/notice. Information provided in this application may be disclosed to the relevant building surveyor in the course of processing this application. The VBA will not disclose the name of any parties or subjects except where required to or authorised by law to do so, including to enable the VBA to perform its statutory functions. Personal information about an individual is collected and handled in accordance with the **Privacy and Data Protection Act 2014**.

Applications generally take approximately 42 days to complete, when all of the required information is submitted with the application.

How to lodge this application

Scan and email:

vbaterminations@vba.vic.gov.au

Post:

Victorian Building Authority
GPO BOX 536
MELBOURNE VIC 3001

Deliver in person:

Victorian Building Authority
Goods Shed North
733 Bourke Street
DOCKLANDS VIC 3008

NB: Completing this form does not mean automatic acceptance of the appointment of the new building surveyor as the VBA's prior written consent to that appointment is required. The VBA may request additional information before making a decision in relation to your application and reserves the right not to accept or refuse to grant its consent if the VBA determines that your request does not meet the legislative requirements of the Building Act 1993 or that you have provided incomplete or inaccurate information in this application.