

Application to Terminate a Private Building Surveyor - Property Owners

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

This application may be completed by the Property Owner(s) / Agent on behalf of the Property Owner / Relevant Building Surveyor. If a company is the relevant building surveyor, the relevant fields must be completed by the designated 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 **company or trust**? (please complete [Application to Terminate a Victorian Private Building Surveyor - Company Owner](#) 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 [Building Permit Cancellation](#) 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 the (select one)*:

Property Owner

Owner's Agent (Authority to Act must be attached)

Relevant Building Surveyor¹

Authority attached

Registration:

2. Applicant contact details

Title* Given name*

Family names (Surname)*

Name of company (if applicable)

Postal Address*

Suburb*

Postcode*

Home phone

Business phone

Mobile phone

Email

¹ Whilst a building surveyor may make an application to terminate their appointment as the Relevant Building Surveyor, the VBA would expect an application to be made in extenuating circumstances - as building surveyors have other options available (including to transfer their appointment under section 80C of the *Building Act 1993*). Furthermore, the VBA will not accept an application of the Relevant Building Surveyor under Section 81(2) of the *Building Act 1993*.

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

Title Given name Family names (Surname)

Name of company (if applicable)

Home phone Business phone Mobile phone Email

4. 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

No

If yes, select relevant types and attach a copy:

Building notice

Copies attached

Building order



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)²

TO FACILITATE THE TRANSFER OF THE APPOINTMENT

17. Have you discussed your intentions to terminate the first building surveyor's appointment with them?³

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)

² Please be aware that your reasons for the application may be disclosed to the building surveyor.

³ If you are the building surveyor, have you discussed your intention to terminate your appointment with the property owner or their agent.



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	Relevant Question	Tick Enclosed items
Authority letter if acting on behalf of the owner	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 2nd relevant building surveyor willing to accept the transfer of functions	18 [^]	

[^] Denotes document 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***.

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.