

Building surveyor penalised and suspended

The Victorian Civil and Administrative Tribunal (VCAT) has upheld a decision by the Victorian Building Authority (VBA) to penalise and partially suspend a building surveyor for wrong doing.

Building surveyor, Peter Rontogiannis (BS-U-20459) was suspended from taking on new appointments and issuing building permits for 180 days, penalised a total of \$6500, reprimanded and directed to issue documents he was disciplined for not issuing, and provide to council.

Mr Rontogiannis was found to have committed several contraventions of the Building Act 1993 and regulations across six sites.

Conduct included issuing a building permit when the planning permit and consent had not been obtained, failing to submit drawings and documents to councils, failing to take enforcement action when he should have and failing to notify the relevant council of his appointment.

The VBA's Executive Director of Regulatory Operations David Brockman said the Tribunal had affirmed the disciplinary action proposed by the Authority regarding Mr Rontogiannis's admitted substandard conduct.

"Consumers look to building surveyors to protect their best interests when a property is constructed by following proper processes and only issuing building permits when all steps have been appropriately followed," he said.

"It is evident from the long list of failures Rontogiannis has been found to have been responsible for, that he caused undue stress and problems for all involved by not fulfilling his role as surveyor."

Mr Rontogiannis was also found to have issued staged building permits which listed a substantially lower combined cost of works as specified in the application form than those works would have cost and to have issued building permits when he could not have been satisfied the building work would comply with the Building Act and regulations.

He also failed to set conditions to ensure proper operation of essential safety measures and to do what had to be done to issue a certificate of final inspection.

"This behaviour damages the reputation of all building surveyors, the vast majority of whom do the right thing, and puts a dent in the confidence the wider Victorian community has in the building industry," Mr Brockman said.

In January 2021, the VBA released its first [Code of Conduct for Building Surveyors](#), which will improve safety and oversight in the building industry and help keep Victorians safe.

The Code of Conduct makes it clear that building surveyors must act within the public interest, comply with the law and act with integrity.

Building surveyors looking for useful information can access the VBA's [online resources](#).

Consumers looking to engage practitioners should check if they are on the VBA's [disciplinary register](#).