

WRITTEN DIRECTION TO FIX BUILDING WORK

This written direction must be given in accordance with section 236 of the *Building Act 1993*.

To: _____ the builder (Builder/Owner Builder).
(Print name)

Address: _____

Email: _____

Copy to: _____ the owner (Owner).
(Print name)

Postal Address: _____

Email: _____

This direction does not authorise the owner to undertake building work where a builder has been appointed

Site address: _____

Building Permit Number: _____

Nature of the Building Work: _____

Inspection type: Foundation / Pre-Slab / Slab-Steel / Frame / Final / Other

Inspection Date: _____ Inspection time: _____

Inspected by: _____

Particulars of the building work which fails to comply with:

Building Act 1993: _____

Building Regulations 2018: _____

Building permit documentation: _____

You the Builder are directed to do the following:

- to enable inspection of any part of the work specified below**, stop any further building work as follows:

APPROVED FORM
Section 37F(1) *Building Act 1993*

- carry out building work to ensure compliance with the *Building Act 1993*, *Building Regulations 2018* and/or building permit as follows:

You must comply with this written direction before it expires on _____ (date).

Failure to comply with this direction will result in written notice of your failure being provided to the Victorian Building Authority and sent to the owner, which may result in disciplinary action under Division 3 of Part 11 of the *Building Act 1993* and/or prosecution under section 37H of the *Building Act 1993*. Section 37H of the *Building Act 1993* sets out penalties that may apply for non-compliance with a written direction (500 penalty units).

Pursuant to section 37H(2) of the *Building Act 1993* a builder must not request or receive from the person for whom the building work was originally carried out (or any agent of that person) any payment for or in respect of any costs arising from anything done for the purpose of complying with this written direction (50 penalty units).

Given by the relevant building surveyor: _____
(Name and practitioner number)

Tel: _____

Email: _____

Date given: _____ **Signature:** _____

ONCE THE ABOVE WORK HAS BEEN COMPLETED IT IS RECOMMENDED THAT YOU CONTACT THE RELEVANT BUILDING SURVEYOR TO ARRANGE A FURTHER INSPECTION OF THE WORK (BEFORE THE EXPIRY DATE) TO VERIFY COMPLIANCE WITH THIS WRITTEN DIRECTION TO FIX BUILDING WORK.

NOTES:

1. **Extension of time to comply:** The builder may ask the relevant building surveyor for an extension of time to comply with this written direction at any time before the expiry date. Please contact the relevant building surveyor for details about obtaining an extension of time to comply with this written direction.
2. **Revocation:** If you are unable or become unable to comply with this written direction, you may request that the relevant building surveyor revokes this direction at any time before the direction expires.
3. **Appeal rights:** Pursuant to section 138A of the *Building Act 1993* you may appeal to the Building Appeals Board (BAB) against the decision to issue this written direction. You must appeal within seven days of the date of issue of this written direction pursuant to regulation 271 of the *Building Regulations 2018*. For details about the BAB call 1300 421 082, email bab@vba.vic.gov.au or visit www.vba.vic.gov.au

An Oral direction was issued prior to this written direction?

Yes No

If yes: Expiry date of oral direction _____