

VCAT upholds building surveyor's suspension

The Victorian Civil and Administrative Tribunal has dismissed a building surveyor's application to have his immediate suspension overturned following recent disciplinary action by the Victorian Building Authority.

On Friday, 6 September 2019, VCAT Vice President Judge Marks declined to stay the VBA's immediate suspension order, finding the VBA was justified in using its powers of immediate suspension to prevent the building surveyor from potentially placing the public at risk.

"The greater the number of buildings [the building surveyor] is involved with, the greater the number of people whose interests may be placed at risk if a stay were granted, and he were allowed to continue operating as a building surveyor at the moment," Judge Marks told the Tribunal.

The VBA's Executive Director of Operations, Mark Rossiter, said the Authority welcomed the Tribunal's decision to uphold the building surveyor's suspension.

"The Tribunal's decision to dismiss the stay application ensures the building surveyor concerned cannot work in the industry while the disciplinary process continues," said Mr Rossiter.

"This decision ensures Victorians will be protected from the harm this practitioner might cause in his role as a building surveyor.

"The VBA is committed to holding those who perform non-compliant building work to account."

The VBA suspended the building surveyor after discovering he had failed to prevent the installation of combustible external wall cladding on five multi-storey buildings in Melbourne's southeast.

Following VCAT's decision, the building surveyor must notify any clients with open building permits of his suspension.

Owners impacted by this suspension can contact the VBA on 1300 815 127 for assistance.

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Media Enquiries

Karen Lyon, Communications Manager – **Phone:** 03 9618 9316 **Email:** communications@vba.vic.gov.au

Website: vba.vic.gov.au

Twitter: @VicBuilding **Instagram:** @VictorianBuildingAuthority **Facebook:** @VictorianBuildingAuthority