

File Number

APPROVED FORM
Section 37F(1) Building Act 1993

WRITTEN DIRECTION TO FIX BUILDING WORK
ISSUED BY THE RELEVANT BUILDING SURVEYOR UNDER DIVISION 2 OF PART 4 OF THE BUILDING ACT 1993
This written direction may be given in accordance with section 236 of the Building Act 1993.

To Builder:

Name of Builder and RBP number; or Name of Owner Builder and certificate of consent number

Address:

Email:

Copy to Owner:

Name of Owner

Address:

Email:

Note: This direction **DOES NOT** authorise the Owner to undertake building work where a builder has been appointed.

PROPERTY DETAILS:

Site Address:

Number	Street	City/Suburb/Town	Postcode
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Title Particulars:

Lot/s	LP/PS	Volume	Folio
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Crown Allotment	Section	Parish	County
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Municipal District:

BUILDING PERMIT DETAILS:

Building Permit Number:

Nature of Building Work:

INSPECTION DETAILS:

- ^ Inspection Type:**
- | | |
|---|---|
| <input type="checkbox"/> Public protection | <input type="checkbox"/> Protection of adjoining property |
| <input type="checkbox"/> Before placing a footing | <input type="checkbox"/> Before pouring in-situ reinforced concrete |
| <input type="checkbox"/> Frame | <input type="checkbox"/> Fire and smoke resistant elements |
| <input type="checkbox"/> Final | <input type="checkbox"/> Swimming pool or safety barrier |
| <input type="checkbox"/> Other (please specify) | |

Inspection Date: **Inspection Time:**

Inspected by:

Name	Qualifications/Job title	RBP number
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ORAL DIRECTION:

^ Was an oral direction issued prior to this written direction? Yes (details below) No

Given by:
Name Qualifications/Job title RBP number

Given to:
Name Qualifications/Job title RBP number

Given on: **at**
Date Time

PARTICULARS OF NON-COMPLIANT BUILDING WORK:

The following building work fails to comply with -

*Building Act 1993:

*Building Regulations 2018:

*Building permit documentation:

PARTICULARS OF BUILDING WORK TO BE CARRIED OUT:

You, the Builder, are directed to do the following-

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

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

THIS WRITTEN DIRECTION MUST BE COMPLIED WITH BEFORE IT EXPIRES ON

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.

Given by the Relevant Building Surveyor:
Name and RBP number

Signature: **Date given:**

Contact number: **Email:**

^ Select as applicable

* Delete if inapplicable

NOTES:

About this direction

1. This Direction to Fix Building Work is given by the Relevant Building Surveyor (RBS) under section 37A of the Building Act 1993 (the Act). Under section 37B(3) of the Act, a direction to fix building work given by a RBS ceases to have effect if an Authorised Person gives a builder direction to fix the same building work under section 37B of the Act.

Extension of time

2. Under section 37G of the Act, the builder to whom this direction is issued may request the RBS to extend the period for compliance, before the period to comply with this direction expires. If an extension is granted, the RBS must give written notice of the extension to the builder.

Appeal rights

3. Under section 138A of the Act, the builder to whom this direction is issued may appeal to the Building Appeals Board (BAB) against the decision to issue this written direction. Pursuant to regulation 271(h) of the Building Regulations 2018, the builder must appeal the decision **within 7 days** after the day the builder is given the written direction to fix. Information regarding the appeal process can be obtained by contacting the BAB:
 - website: www.buildingappeals.vic.gov.au
 - phone: 1300 421 082
 - email: registry@buildingappeals.vic.gov.au

Stay and revocation

4. Under section 37HA of the Act, the RBS may stay the operation of this direction if the building work is the subject of a domestic building work dispute.
5. Under section 37I of the Act, the RBS may revoke this direction if they consider that the builder to whom the direction is issued is not able to comply with the direction or the building work is the subject of a domestic building dispute in certain circumstances.

Compliance and penalties

6. Under section 37H(2) of the Act, 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. The following penalties may apply: 50 penalty units in the case of a natural person and 250 penalty units in the case of a body corporate.
7. Failure to comply with this direction may result in disciplinary action under Division 3 of Part 11 and/or prosecution under section 37H of the Act. The following penalties may apply: 500 penalty units in the case of a natural person and 2500 penalty units in the case of a body corporate.
8. Under section 37K of the Act, if a builder fails to comply with a written direction to fix building work within the required period for compliance, the RBS must give written notice of that failure to the Victorian Building Authority and to the relevant owner **within 7 days** after the end of the required period for compliance.