

# Media Release

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## **\$31,000 ORDERED FOR BUILDING LAW BREACHES**

A builder who performed work outside the scope of his licence, failed to produce a written contract, demanded payments prior to performing the work, and failed to take out the relevant indemnity insurance has been ordered to pay more than \$31,000 in fines, compensation and costs.

In the Adelaide Magistrates Court, 51 year old Domenic Zinghini of Rostrevor admitted to eight breaches of the *Building Work Contractors Act*.

The court heard Zinghini had entered into a verbal contract to convert a pergola into a dining/entertaining room on a property in Ridgehaven for an estimated cost of \$40,000.

While Zinghini had a licence, it did not authorise the kind of work required by the victim.

Zinghini accepted over \$50,000 in pre-payments, with the victim later estimating more than \$20,000 worth of work remained to complete the room.

In addition \$16,905 worth of materials and pre-paid work had not been performed.

The court heard Zinghini's victim believed he had made the necessary applications and gained council approval for the work when, in fact, he hadn't.

Zinghini was ordered to pay a total of \$31,105 – including \$16,905 in compensation to the victim.

The lack of building insurance means the victim remains vulnerable to further loss should the council refuse to approve the building work.

The Commissioner for Consumer Affairs, Dini Soulio, welcomed the penalty, saying it was a timely reminder to builders to comply with their obligations and only take on work within the scope of their license. It is also a reminder to consumers to do their homework before hiring a builder.

"The victim knew Mr Zinghini, and clearly did not consider that he may not be legally authorised to perform the work," Mr Soulio said.

"What's especially disappointing is that Mr Zinghini failed to get the necessary indemnity insurance – meaning his victim did not have that protection, and remains vulnerable should the council refuse to approve the building work.

"Builders are required by law to give their clients a certificate evidencing that insurance has been taken out for domestic building work.

"Consumer and Business Services maintains a public register of all licence holders, to ensure consumers have easy access to information and can determine whether someone is licensed to do the job. I'd encourage anyone considering hiring a builder or a contract to check the register before engaging a builder."

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To check the public register, go to

<https://secure.cbs.sa.gov.au/OccLicPubReg/LicenceSearch.php>.

To report a concern about a builder or a contractor, contact CBS on 131 882.