

Media Release

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A win for consumers after unlicensed builder faces court

An unlicensed builder has faced court and paid back consumers that were left out-of-pocket following a prosecution by the state's consumer watchdog, Consumer and Business Services (CBS).

Complaints made to CBS alleged that **Brent MacLeod** (trading as **MacLeod Landscape Construction and Maintenance** and **Geecan Constructions**) was advertising his services online and entering contracts for building works relating to fencing and retaining walls without an appropriate licence.

Acting Commissioner for Consumer Affairs, George Kamencak, said investigations conducted by CBS produced evidence that Mr MacLeod had been trading as an unlicensed building contractor.

"Mr MacLeod was accepting payment from consumers in relation to the works but failing to supply the services within a reasonable time," Mr Kamencak said.

"These are all clear breaches of the *Building Work Contractors Act* in South Australia and the *Australian Consumer Law*.

"He had accepted deposit payments totalling \$6,050 in relation to three of the consumers, however he did not return to commence the work.

"In relation to the fourth consumer, Mr MacLeod accepted full payment and performed some of the building work albeit did not return to complete the works, which required another tradesperson to complete the fencing. In this case, Mr MacLeod reimbursed the consumer in relation to the additional cost before the matter went to court."

Mr MacLeod pleaded guilty in the Adelaide Magistrates Court where he appeared remorseful and contrite with a willingness to pay back the compensation of \$6,050 that was being sought for the consumers. Mr MacLeod subsequently repaid the three consumers a total of \$6,050 that day.

The Magistrate, taking into consideration the compensation paid to the consumers, imposed fines totalling \$2,000 plus prosecution costs in the sum of \$800 and levies. The Magistrate reduced the fines by 40 per cent on account of the defendant's early guilty plea.

Mr Kamencak said it was pleasing to see an instant practical result for the consumers affected after Mr MacLeod was willing take responsibility for his actions when he faced court after travelling from Victoria for the matter.

"While a number of popular websites are making it easier for consumers to engage a tradesperson to complete services around the home, it is crucial consumers are also doing their homework before hiring somebody and handing over any form of payment.



“We want to encourage consumers to check whether their tradesperson holds the relevant licence. This can be done by requesting to see a tradesperson’s licence card, which includes photo ID, and cross-check the licence number advertised on the [CBS online contractor’s register](#).”

Consumers can report concerns about suspected unlicensed builders and tradespeople by contacting CBS on 131 882 or visit www.cbs.sa.gov.au.