

Media Release

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Unlicensed builder convicted and forced to pay more than \$14,000

An unlicensed builder has been ordered to pay \$14,477 in fines and compensation, after the successful prosecution by SA's Consumer and Business Services in the Adelaide Magistrates Court last month.

David Autengruber trading as **Construction Services by David Autengruber** was convicted last month after pleading guilty to four charges under the *Building Work Contractor's Act*.

Autengruber admitted to carrying on a business without a contractor's licence, failing to comply with the requirements of a domestic building work contract, requesting a deposit in excess of the legal limits and performing building work without the required building indemnity insurance.

Acting Commissioner for Consumer Affairs, George Kamencak said Autengruber entered into a contract to perform building work and landscaping services that included demolition and restoration work without the appropriate licence.

"The defendant provided a quote for a significant amount of work to the value of \$54,939.50 and requested a deposit of \$24,344 before commencement of work, which was paid by the customer over five separate instalments," he said.

"In total, the customers paid \$51,864.50 to the defendant however the work was not completed to trade standards.

"Under the *Building Work Contractors Act*, a building work contractor is required to provide a domestic building work contract to a customer for all jobs valued at more than \$12,000 and can only request a deposit of maximum \$1,000 or five per cent of the total value of the job.

The Magistrate noted the importance of regulatory offences saying these offences are part of a scheme which protects the public. The Magistrate said that the public are entitled to know that they are protected and the protections are in place. The Magistrate noted that the breaches were not simply of a technical nature but lead to the victims suffering financial loss.

Autengruber was convicted in relation to all four offences and ordered to pay compensation to the victims totalling \$10,342. Autengruber was fined \$2,400 (reduced from \$4,000 because of his early guilty pleas), plus \$800 in prosecution costs, \$640 victims of crime levy and \$295 in court costs.

"CBS has serious concerns about such practices and we will continue to investigate and take strong action to protect consumers," the Acting Commissioner said.



“When consumers decide to engage a tradesman to complete various work around the home, particularly when the quotes are for substantial work or are at a high value, we encourage consumers to do their research before agreeing to commence work.

“This is a timely reminder for consumers to ensure they use licensed and reputable tradespeople and they are qualified to do the job. You can check if they have a current licence by using the online [CBS licensing register](#) or ask them to produce their South Australian builder’s licence card.”