

15 March 2019

Mr Brett Bassett
Commissioner
Queensland Building and Construction Commission
GPO Box 5099
Brisbane QLD 4001

Dear Brett,

RE: PUBLIC RECORD OF HOME WARRANTY INSURANCE CLAIMS

I am writing to draw your attention to an issue with the QBCC's approach to maintaining a register for all claims against the Home Warranty Insurance scheme.

We appreciate that the Queensland Building and Construction Commission Act requires you to maintain a register of this information, identifying the licensed contractor involved. However, the register currently includes subsidence claims for which builders have been found not responsible. (Generally, in these cases the engineer is responsible.) As well, it includes insurance claims where the direction to rectify defective building work has been overturned by QCAT.

These are currently recorded in the same way as insurance claims that result from contractors failing to rectify defective building work. We are concerned that consumers will assume the record is a black mark on the contractor's quality of work and integrity. Clearly this is not the case. Building contractors work hard to foster and maintain their reputations. Our members have expressed concern over the potential for consumer misinterpretation.

We are asking that the register differentiate between insurance claims that are a result of a contractor failing to rectify defective building work and claims that aren't. Claims that are not the fault of the building contractor should be recorded on the register as such – perhaps by way of an annotation.

I look forward to your response.

Yours sincerely

Paul Bidwell
Deputy CEO