

### **General Warning**

The purpose of this fact sheet is to give general introductory information about the complaints process. It does not contain legal advice.

**WARNING:** Alternative legal action should be considered before making a complaint. What is included in a complaint may be relevant to any current or future legal proceedings. If you are involved in legal action you should immediately see a lawyer and not proceed with a complaint.

If you (or the complainant, if you are complaining on their behalf) want financial compensation, support or money you should see a lawyer before making a complaint.

### **General complaint information**

Complaints are rarely about just one thing. When you have a problem, it may be that a number of things have gone wrong. Below are some of the common areas where issues may arise that could lead to a complaint.

|                                             |                                   |                                  |
|---------------------------------------------|-----------------------------------|----------------------------------|
| Discrimination                              | Disability and NDIS services      | Policing, Custody and Detention  |
| Seniors and Aged Care supports and services | Consumer and Business disputes    | Phone and Internet services      |
| Banking, Insurance and Superannuation       | Energy and Water services         | Housing and Real Estate          |
| Health Care services                        | Employment issues                 | Education and Training providers |
| Government Agencies and Departments         | Child Safety and Protection       | State Fines and Debts            |
| Corruption                                  | Privacy and Access to Information | Media and Publications           |

There are different complaint bodies to handle different types of complaints. You should consider the different pathways available to decide the most appropriate pathway for your circumstances. One event could lead to multiple complaints. That means you may need to lodge more than one complaint to have all of your concerns addressed.

[The online triage tool on this website can help you to identify the different complaint bodies that may be able to assist you.]

It is usually quickest and easiest to try to resolve a complaint directly with the person or body you are having a problem with. Many complaint handling bodies will not act on a complaint unless you have tried to resolve your complaint directly. If you do not feel it is safe or appropriate to complain directly, you should contact the relevant complaint body to discuss your situation.

### **Complaints involving discrimination**

There are state and federal complaints bodies that handle complaints that about discrimination. If your situation involves discrimination, you should consider making a discrimination complaint in addition to any other complaints. Discrimination may occur when someone is treated less favourably on the basis of: race; sex; gender; disability; age; sexuality;

relationship status; pregnancy; caring responsibilities; or having or being thought to have an infectious disease.

**WARNING:** The state and federal bodies that handle discrimination complaints have different rules, including time limits. You can make a complaint to both the state and federal complaint bodies, but they may decide not to address your concerns if you have already complained elsewhere. For example, if you have already lodged a discrimination complaint to Equal Opportunity Commission WA, it is likely that Australian Human Rights Commission will decide not to act on your complaint. Please carefully review the discrimination factsheets for information about your options before making a discrimination complaint.

## **Building and Energy – Department of Local Government, Industry Regulation and Safety**

In this fact sheet, we introduce Building and Energy, part of the Department of Local Government, Industry Regulation and Safety. We outline how complaints, disputes and reports can be made to Building and Energy in Western Australia.

Building and Energy oversees Western Australia's building, painting, plumbing, electrical and gas industries. It can deal with some complaints about faulty building work, home building contract disputes, plumbing work, unsafe or non-compliant regulated work, and electrical or gas safety incidents. It is not the right body for every building, housing, energy or consumer issue. For example, ordinary electricity, gas or water billing disputes usually belong with the Energy and Water Ombudsman WA, not Building and Energy.

### **Legislation and Key Terms**

**Relevant Legislation:** [Click here for all](#)

- *Building Services (Complaint Resolution and Administration) Act 2011 (WA)*
- *Building Services (Registration) Act 2011 (WA)*
- *Building Services Levy Act 2011 (WA)*
- *Home Building Contracts Act 1991 (WA)*
- *Plumbers Licensing Act 1995 (WA)*
- *Plumbers Licensing and Plumbing Standards Regulations 2000 (WA)*
- *Electricity Act 1945 (WA)*
- *Electricity (Licensing) Regulations 1991 (WA)*
- *Gas Standards Act 1972 (WA)*
- *Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999 (WA)*
- *Energy Coordination Act 1994 (WA)*
- *Building Act 2011 (WA)*

### **Key terms:**

**Affected person:** A person whose interests have been affected by building work or another regulated service. This may include an owner, neighbour or another person affected by the work.

**Building Commissioner:** The statutory decision-maker who can deal with certain building service and home building work contract complaints in Western Australia.

**Building remedy order:** An order that may require defective or unsatisfactory building work to be fixed, or require payment or compensation in some circumstances.

**Complainant:** A person who makes a complaint, dispute or report.

**Complaint:** An expression of dissatisfaction where a response, action or resolution is wanted.

**Disciplinary complaint:** A complaint about conduct by a regulated building service provider or approved owner-builder that may justify disciplinary action.

**Electrical incident:** An incident involving electricity, such as an electric shock, electrical fire, or property damage caused by an electrical fault.

**Gas incident:** An incident involving fuel gas, such as a gas leak, explosion, fire, injury, property damage or near miss.

**Home building work contract:** A contract for home building work covered by the Home Building Contracts Act 1991 (WA).

**Notice of Proposed Complaint:** A written notice that must usually be given to the other party at least 14 days before lodging a building service or home building work contract complaint.

**Regulated building service:** Building, painting, building surveying or other building-related work covered by Building and Energy's regulatory scheme.

**Respondent:** The person, business or organisation the complaint is made about.

**State Administrative Tribunal (SAT):** The tribunal that can review some Building Commissioner decisions or deal with some building matters referred to it.

**Step 1:** What type of complaints can be made to this body?

| <b>Building and Energy oversees Western Australia's building, painting, plumbing, electrical and gas industries. It can handle complaints including:</b>                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Sub-category</b>                                                                                                                                                                 | <b>Example</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Building service complaints about faulty, unsatisfactory or improper work</p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011 (WA) s 5(1)</i></p>     | <p><b>You may make a building service complaint if the issue is that a regulated building service was not carried out properly, was not carried out proficiently, or was faulty or unsatisfactory.</b> This can include work by registered builders, building surveyors, painters, approved owner-builders, home building work carried out under a contract for payment, and unauthorised work where a building permit was required.</p> <p>This can also cover an affected third party, such as a neighbour whose property was damaged by unsatisfactory building work.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>Maya's new house extension leaks during rain because the roof flashing was not installed properly.</i></li> <li>• <i>Alex's exterior paint blistered and peeled soon after a registered painter completed the job.</i></li> <li>• <i>Noor's boundary wall cracked after next door's approved owner-builder work affected their property.</i></li> <li>• <i>Liam believes a private building surveyor's work was faulty because the certification did not match what had actually been built.</i></li> <li>• <i>Grace's home has leaking Typlex/polybutylene pipes installed during the build, and the builder has not fixed the problem.</i></li> <li>• <i>Sam discovers a contractor built a patio roof without the required building permit, and the work now appears unsafe.</i></li> </ul> |
| <p>Home building work contract complaints</p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011 (WA) s 5(2); Home Building Contracts Act 1991 (WA)</i></p> | <p><b>You may make a home building work contract complaint if you are an owner or builder under a covered home building work contract and the issue is about the contract.</b> This can include contract variations, breach of contract, termination payments, non-payment, or other adjustment of rights under a home building work contract.</p> <p>This includes owners or builders under a home building work contract valued between \$7,500 and \$500,000.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>Priya's builder charged for a bathroom variation that Priya says was never agreed to in writing.</i></li> <li>• <i>Ben ended a home renovation contract after repeated delays, and the builder claimed a termination payment Ben says is not owed.</i></li> <li>• <i>Grace's builder increased the contract price because material costs rose, and Grace disputes the increase.</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li><i>A builder says the owner refused to pay the agreed stage payment under a home building work contract after the stage was completed.</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Plumbing-only complaints about faulty plumbing work or plumbing standards breaches                                                                                                                                                      | <p><b>You may make a plumbing complaint if the issue only relates to plumbing work, the plumbing work was completed within the last six years, and the plumber has failed to rectify the work.</b> If fixing the plumbing may require consequential damage to a building, or if the dispute involves other building services, you should consider a building service complaint instead.</p> <p>Do not use the plumbing complaint form for a contractual issue, such as a monetary dispute or other contract issue.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li><i>Aisha's new drainage work keeps overflowing, and the plumber has not fixed it after she raised it with them.</i></li> <li><i>Owen discovers the person who installed his sanitary plumbing was not licensed.</i></li> <li><i>Mei's plumber finished drainage work but did not provide the required certification or drainage plumbing diagram.</i></li> <li><i>Rosa's new water supply pipework was installed incorrectly and keeps leaking behind the laundry wall.</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Reports about breaches, unsafe or non-compliant work, and disciplinary conduct</p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011 (WA) s 15; Building Services (Registration) Act 2011 (WA) s 53</i></p> | <p><b>You may report a possible breach, unsafe work, non-compliant work or disciplinary concern involving building, electrical, gas or plumbing work or occupations that Building and Energy regulates.</b> Building and Energy's compliance role covers building, electrical, gas and plumbing occupations, electricity and gas technical safety, disciplinary matters involving contractors, workers, network operators, gas suppliers and appliance retailers, and non-registered or non-licensed people or businesses that breach legislation it administers.</p> <p>For building-specific matters, a disciplinary complaint can be made about the conduct of a registered building service provider or approved owner-builder, and a statutory offence complaint can be made about registered and non-registered building service providers. Registered building service providers include builders, painters, building surveyors and approved owner-builders.</p> <p>This is mainly an enforcement pathway. It is not a private remedy pathway for defective work, contract payments or compensation.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li><i>A registered builder repeatedly pressures clients to sign contracts using misleading statements about finance.</i></li> <li><i>A building contractor leaves apprentices unsupervised on structural work despite being responsible for managing the job.</i></li> <li><i>A person advertises as a registered builder and starts structural renovation work, but they do not appear to be registered.</i></li> </ul> |

|                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                           | <ul style="list-style-type: none"> <li>• <i>An electrical worker finds exposed live parts in an installation that create a serious shock risk.</i></li> <li>• <i>A gas fitter connects a gas cooktop and the owner later smells gas near the connection.</i></li> <li>• <i>A plumber advertises and carries out licensed plumbing work even though they do not appear to hold the required licence.</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>Electrical and gas safety incident reports</p> <p><i>Electricity (Licensing) Regulations 1991 regulation 62(1)</i></p> | <p><b>You must report electrical and gas incidents that occur in Western Australia.</b> This includes electric shocks, electrical fire or property damage, fuel gas accidents, gas near misses, injuries and property damage involving fuel gas. Fuel gas includes Natural Gas, LP Gas, CNG and LNG.</p> <p>This is about safety incidents. It is not for ordinary electricity, gas or water provider disputes such as billing, connection, supply or customer service issues.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>Talia receives an electric shock from a metal tap in her rental home.</i></li> <li>• <i>A small fire starts in Ravi's meter box and damages wiring.</i></li> <li>• <i>Hannah's barbecue LPG cylinder leaks and nearly catches fire.</i></li> <li>• <i>Staff at a café smell gas from an appliance and shut it down after a near miss.</i></li> </ul> |

**Step 2: What is the Jurisdiction of the complaints body?**

| <b>Jurisdiction</b> | <b>Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| State               | This body has powers to hear complaints under the law of Western Australia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Geographical Scope  | For building dispute complaints, the Building Commissioner does not have jurisdiction to accept or continue complaints where the parties are individuals and one resides, or comes to reside, outside Western Australia.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Time Limitations    | <ul style="list-style-type: none"> <li>• <b>Building service complaints:</b> A building service complaint is generally out of time if made more than six years after the regulated building service was completed. A building service complaint about Typlex/polybutylene pipe failure has a 15-year limit.</li> <li>• <b>Home building work complaints:</b> Home building work contract complaints must generally be made within three years of the contract date, the breach of contract, or the cause of action arising.</li> <li>• <b>Plumbing-only complaints:</b> Plumbing-only complaints can be lodged where the plumbing work was completed within the last</li> </ul> |

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                               | six years, the issue is about workmanship, and the plumber has failed to rectify the problem.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Exclusions</b>             | <p>Building and Energy may not be able to deal with your complaint if:</p> <ul style="list-style-type: none"> <li>• your issue is not covered by Building and Energy's role</li> <li>• the complaint is out of time</li> <li>• you have not provided enough information</li> <li>• the same issue has already been dealt with</li> <li>• the same issue is already before the State Administrative Tribunal</li> <li>• there is another pathway that is more appropriate</li> </ul> <p>Some issues should go somewhere else. For example:</p> <ul style="list-style-type: none"> <li>• plumbing payment or contract disputes should usually go to Consumer Protection</li> <li>• electricity, gas or water billing, supply or connection disputes are not Building and Energy safety incident reports</li> <li>• ordinary energy or water provider complaints may need to go to the Energy and Water Ombudsman WA</li> </ul> |
| <b>Exercise of discretion</b> | Building and Energy decides what action to take based on factors such as seriousness, safety risk, evidence, public interest, time elapsed, repeated non-compliance and whether another pathway is more appropriate. Not every report will lead to investigation or enforcement action.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

### Step 3: Who can you make a complaint against?

| <b>Respondent</b>             | <b>Description</b>                                                                                                                                                                                                       |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Registered builders           | A registered builder is a person or business registered to carry out building work. They may be the respondent where the issue concerns regulated building work, defective work, contract work, or building-law conduct. |
| Registered painters           | A registered painter is a person or business registered to carry out painting work. They may be the respondent where the issue concerns regulated painting work or painting-related conduct.                             |
| Registered building surveyors | A registered building surveyor is a person or business involved in building surveying or certification work. They may be the respondent where the issue concerns building surveying services or building-law conduct.    |
| Approved owner-builders       | An approved owner-builder is a person approved to carry out building work on their own property. They may be the respondent where the issue concerns owner-builder work or disciplinary conduct.                         |

|                                                                            |                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Non-registered people or businesses carrying out regulated building work   | This includes a person or business that appears to be carrying out work that requires registration, approval or a building permit, but does not appear to have the required authority.                                                                             |
| Owners or builders under home building work contracts                      | This includes either party to a covered home building work contract. The respondent may be the owner or the builder, depending on who is alleged to have breached or failed to comply with the contract.                                                           |
| Plumbing contractors and plumbers                                          | This includes licensed plumbers and plumbing contractors, and may include people alleged to have carried out plumbing work without the required licence.                                                                                                           |
| Electrical contractors and electrical workers                              | This includes licensed electrical contractors and electrical workers, and may include people alleged to have carried out unsafe, non-compliant or unlicensed electrical work.                                                                                      |
| Gasfitters                                                                 | This includes people licensed or required to be licensed to carry out gasfitting work. They may be relevant where the concern is about gas installation, gas appliance safety, or gasfitting compliance.                                                           |
| Network operators, gas suppliers and electrical or gas appliance retailers | These entities may be relevant to Building and Energy's compliance and safety role where the issue concerns technical safety, regulated work or conduct. This does not mean ordinary billing, supply or customer service disputes belong with Building and Energy. |
| Exclusions                                                                 | Building and Energy does not handle all property, tenancy, council, energy or consumer disputes. For example, a complaint about an electricity bill is usually about the energy provider, not a Building and Energy regulated safety respondent.                   |

#### **Step 4:** Are you eligible to make a complaint?

| <b>Eligibility</b>        | <b>Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Who can make a complaint? | <p>Eligibility depends on the pathway.</p> <ul style="list-style-type: none"> <li>• A person negatively affected by regulated building services can make a building service complaint.</li> <li>• An owner or builder under a covered home building work contract can make a home building work contract complaint.</li> <li>• A consumer can make a plumbing workmanship complaint.</li> <li>• A person with information about possible regulated misconduct or unsafe work can report it to Building and Energy.</li> </ul> |

|                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pre-requisite steps                          | <p>For building service and home building work contract complaints, the complainant must give the respondent written notice of the proposed complaint at least 14 days before lodging the formal complaint.</p> <p>For plumbing workmanship complaints, the person is encouraged to discuss the problem with the responsible contractor first.</p>                                                                                                                                                                                                                                                                                                                                                                       |
| Can complaints be made on behalf of someone? | Building and Energy provides an Authority to Act form for building service and home building work contract complaints where someone else is acting for the complainant. If another person is helping, authority should be prepared before lodging.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Anonymous or confidential reports            | The official sources reviewed do not support saying that Building and Energy's main building dispute process can be pursued anonymously. Building complaints usually require the respondent to be identified and notified. Compliance reports may be handled differently, but no general anonymous-report rule was verified for this factsheet.                                                                                                                                                                                                                                                                                                                                                                          |
| Exclusions                                   | <p>You may not be able to make a complaint to Building and Energy if:</p> <ul style="list-style-type: none"> <li>• you are not directly affected by the issue</li> <li>• the issue happened too long ago</li> <li>• you have not taken a required first step, such as giving notice to the other person or raising the issue with the plumber</li> <li>• you are complaining for someone else but do not have authority to act for them</li> <li>• the complaint is already being dealt with by the State Administrative Tribunal</li> <li>• the same issue has already been dealt with</li> <li>• the complaint is missing key information</li> <li>• the issue is not covered by Building and Energy's role</li> </ul> |
| Additional information you need to know      | <p>The right pathway depends on the outcome needed.</p> <p>A person seeking repair of defective building work should generally use the building dispute pathway, not the enforcement complaint process.</p> <p>A person reporting unsafe or unlawful conduct may not receive a personal remedy, even if Building and Energy takes regulatory action.</p>                                                                                                                                                                                                                                                                                                                                                                 |

**Step 5:** What remedies are available at this body?

| Power         | Description                                                                                                                                                                                                                           |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Investigation | <p>Building and Energy may investigate accepted building complaints, plumbing complaints, safety incidents or compliance matters. Investigation is discretionary and depends on jurisdiction, evidence, risk and public interest.</p> |

|                                          |                                                                                                                                                                                                                                                              |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Conciliation                             | For building disputes, Building and Energy may use conciliation to help the parties try to resolve the matter. A conciliator may help identify issues and explore possible agreement.                                                                        |
| Building remedy order                    | A building remedy order can require rectification, payment of rectification costs, or reasonable compensation. The Building Commissioner cannot make an order for work or payment over \$100,000 unless the parties consent.                                 |
| Home building work contract remedy order | A home building work contract remedy order can require work, payment, repayment, compensation, or a decision about whether a disputed amount is payable. It may also deal with a disputed price increase.                                                    |
| Interim order                            | In some building disputes, the Building Commissioner can make an interim order before the final outcome where there is a risk of significant loss or damage.                                                                                                 |
| Plumbing rectification notice            | A plumbing inspection or investigation may result in a rectification notice requiring non-compliant plumbing work to be fixed.                                                                                                                               |
| Education or warning                     | Compliance or plumbing matters may result in education, a verbal warning or a formal warning. These are regulatory responses, not guaranteed personal remedies.                                                                                              |
| Infringement notice                      | Building and Energy may issue an infringement notice where legislation allows and the evidence supports that response.                                                                                                                                       |
| Disciplinary action                      | Serious conduct may lead to disciplinary action, including action before the relevant board or the State Administrative Tribunal. Possible outcomes may include cautions, fines, further training, or licence or registration consequences where authorised. |
| Prosecution                              | Some breaches may be prosecuted. Prosecution is discretionary and depends on evidence, legal limits and public interest. It should not be presented as a guaranteed outcome for the complainant.                                                             |
| Regulatory action or referral            | Building and Energy may take other regulatory action, such as directions, notices, referrals to another regulator, public warnings or public naming where authorised. These are regulatory tools and may not provide an individual remedy.                   |

**Step 6:** Preparing your complaint. What should it include?

| Requirement | Description                                                                                                                                                                                                              |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Format      | There are different forms and reporting methods for each type of complaint. If an online form is available, typically it is preferred.<br><br>Refer to step 7 for more detailed information on each format of complaint. |

|                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Personal Details                        | Include your name, address, phone number, email address and preferred contact details. If lodging for a business or organisation, include the organisation details.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Respondent's Details                    | Include the respondent's name, business name, trading name, address, contact details, registration or licence number if known, and any other details that help Building and Energy identify them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Relevant Facts                          | <ul style="list-style-type: none"> <li>• Explain what happened, where it happened, who was involved, when the work started and finished, what went wrong, what you have already done to resolve it, and what outcome you want.</li> <li>• Attach key documents where available. This may include contracts, invoices, quotes, photographs, reports, permits, certificates, emails, text messages, notices, diagrams, advertising, or earlier correspondence with the respondent.</li> <li>• For building service and home building work contract complaints, include proof that you gave the respondent written notice at least 14 days before lodging. The notice must include details of the complaint, the remedy sought and supporting evidence.</li> </ul> |
| Authority to act                        | If someone else is acting for you in a building dispute complaint, prepare an Authority to Act form.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| What NOT to include                     | Do not include false or misleading information. Do not use the plumbing complaint form for monetary or contractual disputes. Do not rely on broad statements like "the work is bad" without explaining what is wrong and what evidence supports it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Additional information you need to know | Include any interpreter, disability access, communication or support needs so Building and Energy can communicate with you appropriately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

### Step 7: Lodging your complaint and next steps.

| Step                          | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Where to lodge your complaint | <p><b>Building service or home building work contract complaint:</b></p> <ul style="list-style-type: none"> <li>• <b>Online (preferred):</b> <a href="#">click here</a>. The standard complaint fee is \$122 and the concession fee is \$61, current from 1 July 2025.</li> <li>• <b><a href="#">Fill out this form</a></b> and submit via: <ul style="list-style-type: none"> <li>○ <b>Email:</b> <a href="mailto:be.complaints@lgirs.wa.gov.au">be.complaints@lgirs.wa.gov.au</a> with a 4MB maximum</li> <li>○ <b>Post:</b> Building and Energy Complaints Branch, Locked Bag 100, East Perth WA 6892</li> <li>○ <b>In person:</b> Building and Energy, Level 1, 303 Sevenoaks Street, Cannington WA 6107, Monday to Friday, 8.30am–4.30pm</li> </ul> </li> </ul> |

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 | <p><b>Plumbing workmanship complaint:</b> <a href="#">Fill out this form</a> and submit via:</p> <ul style="list-style-type: none"> <li>• <b>In person:</b> Building and Energy, Level 1, 303 Sevenoaks Street, Cannington WA 6107, Monday to Friday, 8.30am–4.30pm</li> <li>• <b>Email:</b> <a href="mailto:plumberscompliance@lgirs.wa.gov.au">plumberscompliance@lgirs.wa.gov.au</a> with a signed and scanned copy</li> <li>• <b>Post:</b> Plumbers Licensing Board, c/o the Plumbing Inspectorate, Locked Bag 100</li> <li>• <b>Fax:</b> (08) 6251 2833 with a 20-page maximum</li> </ul> <p><b>Building-law breach or disciplinary complaint:</b></p> <ul style="list-style-type: none"> <li>• <b>Post:</b> Building and Energy, Locked Bag 100, East Perth WA 6892</li> <li>• <b>In person:</b> Level 1, 303 Sevenoaks Street, Cannington WA 6107, Monday to Friday, 8.30am–4.30pm</li> <li>• <b>Fax:</b> 08 6251 1333</li> <li>• <b>Email:</b> <a href="mailto:enforcement@demirs.wa.gov.au">enforcement@demirs.wa.gov.au</a></li> <li>• <b>Online:</b> <a href="#">click here</a></li> </ul> <p><b>Electrical shock or electrical property damage:</b></p> <ul style="list-style-type: none"> <li>• Report the incident to the network operator.<br/>If the network operator is not known, contact Building and Energy on 1800 678 198, all hours, from anywhere in Western Australia.</li> </ul> <p><b>Gas accident, gas incident or gas near miss:</b></p> <ul style="list-style-type: none"> <li>• Report the incident to the relevant gas supplier and to the Director of Energy Safety through Building and Energy.<br/>Building and Energy's incident number is 1800 678 198, all hours, from anywhere in Western Australia. For emergencies, call 000.</li> </ul> |
| After lodgement | <ul style="list-style-type: none"> <li>• <b>Building dispute complaints:</b> Building and Energy assesses whether the complaint can be accepted. If accepted, it may be investigated, conciliated, decided by order, dismissed, withdrawn, or referred to SAT.</li> <li>• <b>Plumbing complaints:</b> A plumbing complaint may lead to inspection or investigation. Possible outcomes include no further action, education, warning, rectification notice, infringement notice, prosecution or disciplinary action.</li> <li>• <b>Enforcement complaints:</b> The Enforcement Branch assesses information before deciding whether to investigate. If investigated, the person will be notified of the outcome when the investigation is complete.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

**Step 8:** Post-complaint – what if you are not happy with the outcome of your complaint?

| Avenue                                      | Description                                                                                                                                                                                                                                              |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SAT review of a Building Commissioner order | A person impacted by a Building Commissioner order may apply to the State Administrative Tribunal for review. The application must generally be made within 28 days from the date of the order or decision.                                              |
| SAT review of refusal to accept a complaint | If the Building Commissioner refuses to accept a complaint, a person aggrieved by that decision may apply to SAT for leave to review the decision. The application must generally be made within 28 days.                                                |
| If a building complaint is dismissed        | The Act does not provide for review of a decision to dismiss a complaint. You should consider legal advice before deciding whether any other pathway is available.                                                                                       |
| If a monetary order is not followed         | If a party does not comply with a monetary order made by the Building Commissioner or SAT, the party with the benefit of the order may enforce it through the appropriate court. The relevant court depends on the amount payable.                       |
| Potential building service debt             | If a registered building service provider fails to comply with a payment order and the order is lodged in court for enforcement, it may become a building service debt. Building and Energy should be notified after the order is lodged with the court. |

**Step 9:** Other bodies that handle complaints about building, plumbing, electrical and gas related complaints

| Complaint body                                    | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Australian Human Rights Commission                | The Australian Human Rights Commission (AHRC) can handle complaints about discrimination that occurs in employment, education, the provision of goods and services, accommodation, sport or the administration of Commonwealth laws and services. If the issue involves discrimination, harassment or unfair treatment because of a protected attribute, the AHRC may be relevant. There are also state-based discrimination complaint bodies that may be able to assist. |
| Office of the Australian Information Commissioner | The Office of the Australian Information Commissioner (OAIC) can handle complaints about the way personal information has been handled by Australian Government agencies and some private organisations. The OAIC can also review freedom of information decisions made by Australian Government agencies and ministers. There are also state-based privacy and information complaint bodies that may be able to assist.                                                  |
| National Anti-Corruption Commission               | The National Anti-Corruption Commission (NACC) handles complaints about serious or systemic corruption in the Australian Government public sector. There are also state-based corruption complaint bodies that may be able to assist.                                                                                                                                                                                                                                     |

|                                     |                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Consumer Protection WA              | Consumer Protection WA may be more appropriate for general consumer disputes, including some payment or contract disputes involving services. Building and Energy's plumbing guidance directs plumbing contractual and monetary disputes to Consumer Protection, rather than the plumbing complaint form.                                                                         |
| Energy and Water Ombudsman WA       | The Energy and Water Ombudsman WA handles complaints about electricity, gas and water providers that are members of its scheme. This may include billing, supply, payment, disconnection, connection, account and customer service complaints after you have first tried to resolve the issue with their provider.                                                                |
| WorkSafe WA                         | WorkSafe WA may be relevant where the issue is mainly about workplace health and safety, workplace injury, unsafe work practices, or risks to workers on a construction site. Building and Energy may still be relevant if the issue is about regulated building, electrical, gas or plumbing work, but WorkSafe may be the better pathway for general workplace safety concerns. |
| Local government / permit authority | A local government or other permit authority may be relevant for some building permit, occupancy permit, demolition permit, unauthorised building work, or local building compliance issues. Building and Energy may still be relevant where the issue involves regulated building services, registered practitioners or Building Commissioner complaint powers.                  |
| State Administrative Tribunal       | The State Administrative Tribunal (SAT) may review some Building Commissioner decisions, or deal with some building matters referred to it. SAT is usually a later-step pathway, not the first place to lodge an ordinary Building and Energy complaint.                                                                                                                          |
| Ombudsman Western Australia         | Ombudsman Western Australia may be relevant if the issue is about how a WA public authority handled a matter. This may include concerns about Building and Energy's administrative handling, but it is not a general appeal body for every Building and Energy technical decision.                                                                                                |
| Western Australia Police Force      | Police may be relevant if there is suspected fraud, threats, deliberate property damage, violence, or immediate danger. Police are not the ordinary pathway for defective building work, plumbing defects or contract disputes.                                                                                                                                                   |
| Equal Opportunity Commission WA     | The Equal Opportunity Commission WA may be relevant if the building, housing, trade service or energy-related issue also involves discrimination, sexual harassment, racial harassment or victimisation under WA discrimination law.                                                                                                                                              |

### Need help preparing or pursuing your complaint?

Below are organisations that may be able to help you to make your complaint, provide support or advocacy during the complaint process or give you more information.

| Organisation                               | Contact Details                                                                                   | How they can help                                                                                                                                                                   |
|--------------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Consumer Protection WA</b>              | Website: Consumer Protection WA<br>Telephone: 1300 304 054                                        | May assist with general consumer disputes, including plumbing contractual or monetary disputes that should not be made through the plumbing complaint form.                         |
| <b>Legal Aid WA</b>                        | Website: Legal Aid WA<br>Telephone: 1300 650 579                                                  | May provide legal information, advice or referrals. This may be useful where you are considering SAT, court enforcement, compensation, contract claims or other legal action.       |
| <b>Community Legal WA</b>                  | Website: Community Legal WA                                                                       | Can help people find a community legal centre in Western Australia. Community legal centres may be able to provide legal advice or referral depending on the issue and eligibility. |
| <b>Citizens Advice Bureau WA</b>           | Website: Citizens Advice Bureau WA<br>Telephone: (08) 9221 5711                                   | Provides low-cost legal advice, mediation services and general information. This may assist with building, contract or neighbour issues where legal guidance is needed.             |
| <b>Translating and Interpreter Service</b> | Website: <a href="http://www.tisnational.gov.au">www.tisnational.gov.au</a><br>Telephone: 131 450 | Provide support to people if English is not their first language.                                                                                                                   |
| <b>National Relay Service</b>              | Website: <a href="http://www.accesshub.gov.au">www.accesshub.gov.au</a>                           | Provides a range of services to support people who are deaf or have a hearing or speech impairment to communicate.                                                                  |

### Self-help tools and additional resources

| Resource                                      | How this helps                                                                                                                         |
|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <a href="#">How to make a complaint guide</a> | General guidance on preparing a clear complaint, setting out what happened, attaching documents, and explaining the outcome sought.    |
| <a href="#">Call It Out</a>                   | Online register for racism/discrimination experienced or witnessed towards First Nations Australians. Not an official complaints body. |
| <a href="#">Law Society: Know Your Rights</a> | Guidance for individuals who are uncertain about where to start when seeking legal advice.                                             |