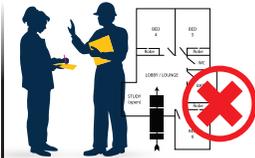


HOW DISPUTES START AND THE CAUSES – RELATIONSHIP DIFFICULTIES

Issues & Reasons that effect Relationships which Lead to Disputation in the Victorian Building Industry



< IDEAS >
BIRTH OF PROJECT



Preliminary, Poor Consultant Documentation:

- Plans
- Specifications
- Contracts & Consultants
- Feasibility Study



Scope of Work Not Correctly Defined:

- Poor Documentation
- Poor Estimating
- Poor Feasibility
- Poor Financing Arrangements



No Works Program!

- Poor Critical Path
- Poor Timelines
- Poor Consultation with Sub-contractors
- Poor Consultation with Suppliers



Lead to Disputes about Poor Quotations or Tenders

- Domino Effect of Providing Contractors with Poor Documentation
- Poor Allowance for Supervision
- Review as to Project Profitability
- Budget Escalation



Lack of Use of Professional Experts

- Checking Contract Documentation
- Checking of Contract Tenderers
- Checking of Sub-contractors
- Checking of Works Program



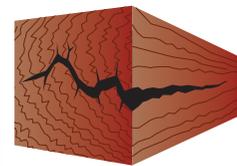
Poor Project Management

- Administration of Project Variations
- Administration - Time Extensions
- Administration of Project Financing
- Administration of Site Meetings
- Administration - General



Project Supervision

- Build to Wrong Plan Sizes
- Poor Preparation of Set Out
- Poor Administration of OH&S Standards
- Project Performance
- Prevention Management



Incorrect Use of Specified Materials

- Interpretation of Specifications
- Interpretation of Working Drawings
- Interpretation of Contracts
- Interpretation of Site Instructions
- Interpretation of Sub-contracts



Poor Selection - General Competency of Head Contractor, Employees & Sub-contractors

- Defective Work - Poor Supervision
- Defective Work - Poor Training of Employees & Contractors



Disputation Leads to Building Practitioner Complaints

- CAV - Consumer Affairs-Department of Justice
- BACV - Building Advice Conciliation Victoria
- VCAT - Victorian Civil Administrative Tribunal
- BC - Building Commission
- BPB - Building Practitioners Board
- PIC - Plumbing Industry Commission
- ESV - Energy Safe Victoria



COMPLETED PROJECT

HOW DISPUTES START AND THE CAUSES – RELATIONSHIP DIFFICULTIES

Guidance Notes

Welcome to Boston Group 911 Build Assist

A Building dispute can become a major frustration in a persons life and will effect your lifestyle and ultimately will effect you financially in one way or another.

From the very best of intentions from the commencement of a project at birth all projects can suffer from many issues that can and will cause a major disruption to a project.

As outlined within the graph on page 1 many issues can effect the implementation and completion of a project, the lack of funding to the use of professional consultants right from the start with a common sense approach to prevention management is quite often not considered or sought.

Most disputes are usually caused by a source of reasons and often with multiple reasons of which lead to a breakdown in a contractual relationship of which then leads to an irretrievable breakdown in trust with people or business entities that can effect your project.

There are always a multiple array of issues that both Consumers and Building Practitioners should check and review before a Major Domestic Building Contract and or Sub Contract is entered into between the parties so as to ensure all aspects of the contractual arrangements are covered off.

Both Consumers and Building Practitioners should always obtain independent legal advice if they are not comfortable or do

not understand the arrangements they are entering into as when things break down and the relationship is in a state of distrust it can cause a substantive financial drain on the parties resources to repair or reinstate the dispute.

The graph on page 1 is only a general indication of what causes a building dispute can emulate from and does not cover all aspects of the disputation process or how to seek resolution to resolve them as all disputes generally have independent causes and are not always the same.

Building Industry Authorities

The Boston Group also recommends that you contact the below listed Authorities so as to seek assistance in relation to your dispute and or seek legal advice:

- CAV - Consumer Affairs-Department of Justice
- BACV - Building Advice Conciliation Victoria
- VCAT - Victorian Civil Administrative Tribunal
- BC - Building Commission
- BPB - Building Practitioners Board
- PIC - Plumbing Industry Commission
- ESV - Energy Safe Victoria



Department of Justice
Consumer Affairs Victoria
Consumer Affairs - Department of Justice
121 Exhibition Street, Melbourne 3000
Telephone: **1300 558 181**
Website: www.justice.vic.gov.au



Consumer Affairs Victoria
Building Advice Conciliation Victoria
121 Exhibition Street, Melbourne 3000
Telephone: **1300 557 559**
Website: www.consumer.vic.gov.au



Victorian Civil Administrative Tribunal
55 King Street, Melbourne 3000
Telephone: **9628 9999**
Website: www.vcat.vic.gov.au



Building Commission - Building Practitioners Board
Goods Shed North
733 Bourke Street, Docklands 3008
Telephone: **1300 815 127**
Website: www.buildingcommission.com.au



Plumbing Industry Commission
Goods Shed North
733 Bourke Street, Docklands 3008
Telephone: **1300 815 127**
Website: www.pic.gov.au



Energy Safe Victoria
Level 5, Building 2, 4 Riverside Quay, Southbank 3006
Telephone: **1800 652 563**
Emergency: **13 27 71**
Website: www.esv.vic.gov.au

