

Master Builders Association of Victoria

Complaint process

1. Whenever a written complaint is received by the Association concerning one of its current members, a copy is forwarded to the relevant member with a request that it respond in writing to each allegation contained in the complaint, within 14 days. If no response is received within the stipulated time, a reminder is sent requesting a response within seven days.
2. On receipt of a response from the member, Master Builders evaluates the complaint and the response.
 - (i) If there is any common ground concerning the member's responsibilities, that common ground is highlighted. The member is requested, in writing, to contact the owner to arrange for prompt attendance to the undisputed items. The member and the complainant are also urged to attempt to resolve disputed matters, if possible. In the event that any items are so resolved – the member is to attend to those items in the same time frame. The complainant is advised accordingly in writing and is usually also sent a copy of the builder's reply.

If necessary, Master Builders then monitors the member's compliance with its undertakings.
 - (ii) In so far as a member's reply discloses disputed facts or disputed interpretations of the respective rights and obligations of the parties, the complaints process is inappropriate for resolving the matters so affected. Apart from the encouragement to resolve disputed items – or as many of them as possible – referred to above, Master Builders is unable to help in respect of those items that are, or remain, unresolved. The complainant is then advised of these facts and of the need for seeking independent legal advice concerning its position and options if it wishes to pursue the disputed matters by other means.
3. If a member fails to adequately respond to the Master Builders requests or if it fails to comply with its undertakings, the matter may be referred to the Disciplinary Committee of the Association as this conduct may fall well short of the standard expected of a Member under the Code of Ethics and Conduct. If the charges are found to be sustained after the appropriate hearing, the Committee can impose sanctions on the member, ranging from reprimand to suspension or cancellation of membership.

Please be aware that by agreeing to participate in the above complaints process you agree that all information is strictly confidential. This means that any information disclosed by either party cannot be relied upon by the other party in any VBA disciplinary, VCAT or Court proceedings either during this process or subsequently commenced. Accordingly if you do not agree, then this complaints process may not be suitable for you.