

QUESTIONNAIRE: Building Dispute Matters

Purpose

Your building dispute has been referred to the Tribunal by the Building Commissioner (Building and Energy). The standard practice of the Tribunal is to hold a directions hearing to establish how the dispute may most appropriately be dealt with by the Tribunal.

If you have any questions regarding how the Tribunal will deal with the dispute, you will have the opportunity to ask those questions at the directions hearing. Please **do not** contact the Tribunal regarding any questions prior to the directions hearing.

Please complete this questionnaire and return to the Tribunal and the other party prior to your directions hearing. This will ensure that your matter is handled as efficiently as possible.

Instructions

1. Please answer each of the questions below applicable to your dispute and return the completed questionnaire to the Tribunal at least 5 working days before the directions hearing.
2. Please also give a copy of the completed questionnaire to the other party at the same time.
3. You can return the completed questionnaire to the Tribunal in the following ways:
 - a. **PREFERRED METHOD:** Uploading it via the eCourts Portal as the Document type 'Other Document'. Information on how to register on the eCourts Portal and how to lodge a document in the eCourts Portal has been sent to you with the Notice of Directions Hearing.
 - b. Post to: State Administrative Tribunal, GPO Box U1991, Perth WA 6845; or
 - c. Delivering it to Level 6, State Administrative Tribunal Building, 565 Hay Street, Perth, WA.
4. Please **do not** send any other documents to the Tribunal before the directions hearing. Orders will be made at that hearing regarding how and when other documents are to be given by you to the Tribunal and the other party.

SAT Matter Details

Matter Number:

 /

Eg. CC 123 / 2022

Matter Name:

(If applicable)

Eg. 'Party name v Party name'

Name of Person completing this form:

Complainant (Applicant)

Respondent

Date form completed:

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Questionnaire:

1. Has a copy of the application (referral) to the Tribunal been given to you by the Building Commissioner (Building and Energy)?

Yes

No

If no, please contact Building and Energy on 1300 489 099 to receive a copy of the application (referral) as soon as possible and then complete this questionnaire.

2. Have you received a Notice of Directions Hearing?

Yes

No

If no, please contact the Tribunal on (08) 9219 3111 or 1300 306 017 (cost of a local call) to check the email address to which your Notice of Directions Hearing has been sent.

3. What is the date and time of the directions hearing?

Date & Time:

Note: The date and time of the directions hearing is stated in the 'Hearing Details' section in the application (referral) form given to you by Building and Energy and in the Notice of Directions Hearing sent to you by the Tribunal.

4. Have you registered for the eCourts Portal?

Yes

No

If no, please do this as soon as possible. Your Person ID and information on how to register on the eCourts Portal has been sent to you with the Notice of Directions Hearing. Please note, the email address you register with cannot be changed, and will be the email for all correspondence for your matter.

5. What is the address of the property where the building work has been carried out?

Address:

6. Is the property part of a strata scheme?

No

Yes

If Yes: is the property on which the building work is situated:

i) Common property in the strata scheme?

Yes

No

ii) An apartment / unit in the strata scheme?

Yes

No

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- 7. Please state the full name of each person who is currently registered as an owner of the property. If the property is common property in a strata scheme, please state the full name of the strata company.**

- 8. Is there a written contract / agreement between the complainant (applicant) and the respondent regarding the building work?**

No

Yes Please describe the contract/agreement and the date of it:

- 9. What is the dispute about?**

a) Faulty or unsatisfactory building work?

i) Yes: please answer questions 10 to 15 below.

ii) No

b) Breach of contract?

i) Yes: please answer questions 14 to 15 below.

ii) No.

- 10. Did the respondent carry out the building work for:**

the complainant (applicant)?

a previous owner of the property?

- 11. Has an independent expert inspection report/s been prepared?**

Yes Please state below the date and name of the person/company who prepared the report/s:

No

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12. Is the complainant (applicant) seeking an order that remedial work be carried out by the respondent?

- Yes
 No

13. Is the complainant (applicant) seeking an order that the respondent pay an amount of money to the complainant for the cost of remedial work to be carried out by someone other than the respondent?

- No
 Yes If yes, does the complainant (applicant) have any written quotations or invoices regarding the cost of the remedial work?

Yes

If yes, please state below the date of each quotation/invoice and the person or company who has given it:

No

14. Has there been any offer to remedy the complaint?

- Yes Please state below the date on which the offer was made, who made it and how it was made (e.g. by email, at a meeting., etc), but **do not** give the details of the offer.

No

15. What are your unavailable dates to attend a mediation or a final hearing during the three months after the date of the directions hearing?

Comment: