

Summary of Disciplinary Action

Registered Certifier	Registration Number	Disciplinary Ground and Summary	Disciplinary Action	Date of Decision
Maurice FREIXAS	BDC2515	<p>Mr. Freixas engaged in unsatisfactory professional conduct under the <i>Building Professionals Act 2005</i> (NSW), being a ground for taking disciplinary action under Part 4 of the <i>Building and Development Certifiers Act 2018</i> (NSW).</p> <p>Mr. Freixas issued a Construction Certificate and an Occupation Certificate for a large apartment complex in contravention of various provisions of <i>the Environmental Planning and Assessment Act 1979</i> (NSW) and <i>the Environmental Planning and Assessment Regulation 2000</i> (NSW).</p> <p>Mr. Freixas also failed to comply with statutory duties that relate to his functions and obligations as an accredited certifier; repeatedly failed to comply with the Building Professionals Board Code of Conduct; and his conduct fell short of the standard of competence, diligence and integrity that a member of the public is entitled to expect of a reasonably competent certifier.</p>	<ol style="list-style-type: none"> 1. Cancel the registration of the Registered Certifier, pursuant to section 48(1)(e) of the <i>Building and Development Certifiers Act 2018</i> (NSW). 2. Disqualify the Registered Certifier permanently from being registered, pursuant to section 48(1)(f) of the <i>Building and Development Certifiers Act 2018</i> (NSW). 	30 March 2022

<p>Maurice FREIXAS</p>	<p>BDC2515</p>	<p>Mr. Freixas engaged in unsatisfactory professional conduct under the <i>Building Professionals Act 2005</i> (NSW), being a ground for taking disciplinary action under Part 4 of the <i>Building and Development Certifiers Act 2018</i> (NSW).</p> <p>In respect of four Construction Certificates, Mr. Freixas contravened provisions in the <i>Environmental Planning and Assessment Act 1979</i> (NSW), the <i>Environmental Planning and Assessment Regulation 2000</i> (NSW) and the <i>Building Professionals Act 2005</i> (NSW); failed to comply with statutory duties that relate to his functions and obligations as an accredited certifier; and his conduct fell short of the standard of competence, diligence and integrity that a member of the public is entitled to expect of a reasonably competent certifier.</p> <p>In respect of a further Construction Certificate, Mr. Freixas:</p> <ul style="list-style-type: none"> • contravened the certification legislation, being a ground for taking disciplinary action under section 45(b) of the <i>Building and Development Certifiers Act 2018</i> (NSW); • failed to comply with statutory duties imposed on him with respect to the carrying out of certification work, being a ground for taking disciplinary action under section 45(d) of the <i>Building and Development Certifiers Act 2018</i> (NSW); and • engaged in conduct in connection with the carrying out of certification work that fell short of the standard of competence, diligence and integrity that a member of the public is entitled to expect of a reasonably competent registered certifier, being a ground for taking disciplinary action under section 45(a) of the <i>Building and Development Certifiers Act 2018</i> (NSW). 	<ol style="list-style-type: none"> 1. Cancel the registration of the Registered Certifier, pursuant to section 48(1)(e) of the <i>Building and Development Certifiers Act 2018</i> (NSW). 2. Disqualify the Registered Certifier permanently from being registered, pursuant to section 48(1)(f) of the <i>Building and Development Certifiers Act 2018</i> (NSW). 	<p>30 March 2022</p>
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		<p>Mr. Freixas issued the five Construction Certificates for four different developments when the proposed buildings did not comply with relevant requirements of the Building Code of Australia (BCA), specifically the requirements in relation to automatic fire sprinklers.</p>		
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