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**From:**  
**Sent:** Friday, 28 June 2019 7:36 AM  
**To:** Building Confidence Response  
**Subject:** Building Stronger Foundations consultation

**Categories:** Green Category

To whom it may concern,

Thank you for the opportunity to make a submission.

As an owner of two apartments in Sydney and with 10 years' experience in dealing with building defects in a large strata scheme, I welcome any change to legislation that would protect consumers who purchase property in strata schemes. However, I do not think that the current proposed legislative changes will make much of a difference to ordinary consumers.

I have trod the path of negotiation and builders/developers 'fixing' known defects, and been down the road of checking qualifications and experience of all contractors - only to be left with a multi-million dollar repair bill and associated legal costs. After 12 years repairs are ongoing and continue to be expensive and not yet complete.

Instead I think the only solution is to find a way to make sure that Owners Corporations are given the same 'duty of care' that is delivered in commercial environments.

It has always puzzled me why building defects are virtually non-existent in multi-story commercial buildings, but are rife in multi-story residential buildings. I believe it is as simple as ensuring that a contract stating a duty of care, as is done in commercial environments, exists between builders and end-users (Owners Corporations). The fact that an 'end-user' of a residential building is unknown at the time of a build should not be an impediment to creating such legislation or drafting proper contracts. Fair Trading should be able to do that considering its experience in dealing with strata defects. But it will mean the current proposed 'fixes' are viewed in a different light.

The builder of my complex went into bankruptcy to avoid doing 'proper' fixes and my developer has forced me to agree to a confidential agreement so I do not wish my name to be published on your website.

Regards  
Pamela Dilworth