

Summary of Disciplinary Action

| Accredited certifier | Disciplinary action no. | Investigation No. | Details of disciplinary matter | Disciplinary action | Date of decision |
|-------------------------------|-------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| Barry Johnson BPB No. 0199 | 417 | I 14/12 | <p>On 16 January 2006 Mr Johnson issued construction certificate (CC) no. BJA06021 (i.e. Stage 1):</p> <ul style="list-style-type: none"> Without issuing and attaching a fire safety schedule. Without ensuring that development consent conditions had been complied with. <p>On 20 December 2006 Mr Johnson issued construction certificate no. BJA06021/1 (i.e. Stage 2) without ensuring that development consent conditions had been complied with.</p> <p>On 2 July 2007 Mr Johnson issued construction certificate no. BJA06021/2 (i.e. Stage 3):</p> <ul style="list-style-type: none"> Without an attached fire safety schedule that listed each of the statutory fire safety measures proposed or required to be implemented in the building premises. Without ensuring that development consent conditions had been complied with. Without ensuring that the application and its accompanying information demonstrated that the proposed building would comply with the BCA (var. matters). <p>Mr Johnson issued interim occupation certificate</p> | <p>The Board has made a decision.</p> <p>a) THAT Mr Johnson's conduct in relation to the matters of Investigation I14/12 constitutes unsatisfactory professional conduct, as defined under Section 19 of the <i>Building Professionals Act 2005</i>, based on the available evidence.</p> <p>b) THAT consideration was given to the <i>Building Professionals Board's Disciplinary Penalty Guidelines</i> of December 2012 in categorising the penalty.</p> <p>c) THAT Mr Johnson's conduct falls under the Category of E.</p> <p>d) THAT Mr Johnson is reprimanded.</p> <p>e) THAT Mr Johnson is fined the sum of \$10,000 which is to be paid to the Board within 28 days of the date of the Board's notice of decision on the complaint.</p> <p>f) THAT in determining the penalty consideration was given to all the facts in Investigation I14/12.</p> <p>g) THAT consideration was given to the submissions made in response to the Investigation Report.</p> | 3 Nov 2015 |



| Accredited certifier | Disciplinary action no. | Investigation No. | Details of disciplinary matter | Disciplinary action | Date of decision |
|----------------------|-------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| | | | <p>no. BJA/OC/06021 on 3 February 2009, and issued final occupation certificate no. BJA/OC/06021/2 on 17 April 2009:</p> <ul style="list-style-type: none">• Without ensuring that the building was suitable for occupation or use in accordance with its classification under the BCA (var. matters).• Without ensuring that development consent conditions had been complied with. | <p>h) THAT consideration was also given to the issues raised in the presentation made in person by Mr Johnson and his representatives.</p> <p>i) THAT consideration was given to previous disciplinary findings and penalties imposed by the Board and the Tribunal on Mr Johnson, and that these concerned BCA fire safety issues.</p> <p>j) THAT consideration was given to the length of time that the Board has taken to conduct the investigation.</p> <p>k) THAT Mr Johnson has also been required by the Board to complete an educational short course as a result of another investigation.</p> | |