Summary of Disciplinary Action

Registered Certifier	Registration Number	Disciplinary Ground and Summary	Disciplinary Action	Date of Decision
Paul Gearin	BDC0132	1. Engaged in unsatisfactory professional conduct under the Building Professionals Act 2005 (NSW). 2. Contravened the certification legislation under section 45(b) of the Building and Development Certifiers Act 2018 (NSW) (**BDC Act**). 3. Engaged in conduct in connection with the carrying out of certification work that has fallen 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 under section 45(a) of the BDC Act. On 1 July 2014, contravened provisions of the EPA Act and EPA Regulation by issuing a Construction Certificate (**CC**) when the CC approved plans: • were inconsistent with the Development Consent (DC); • did not meet the requirements of the relevant BASIX certificate; and • did not meet requirements of the Building Code of Australia (BCA).	1. Cancel the Certificate of Registration Number BDC0132, pursuant to section 48(1)(e) of the BDC Act; and 2. Disqualify the Registered Certifier from being registered as a certifier for a period of six (6) years, pursuant to section 48(1)(f) of the BDC Act.	14/09/2023 (to take effect on 21/09/2023)

| | | Between 16 June 2016 and 12 February 2018, contravened provisions of the EPA Act and EPA Regulation by issuing interim occupation certificates (**IOCs**) when:
• the development was inconsistent with the DC;
• relevant BASIX commitments for the development had not been fulfilled; and
• critical stage inspections had not been carried out.

On 21 April 2021, contravened provisions of the EPA Act and EPA Regulation by issuing a final occupation certificate (FOC) when:
• the development was inconsistent with the DC;
• relevant BASIX commitments for the development had not been fulfilled; and
• critical stage inspections had not been carried out. | | |