

# DBDRV

SPASA Victoria 12<sup>th</sup> April 2017



# Vision

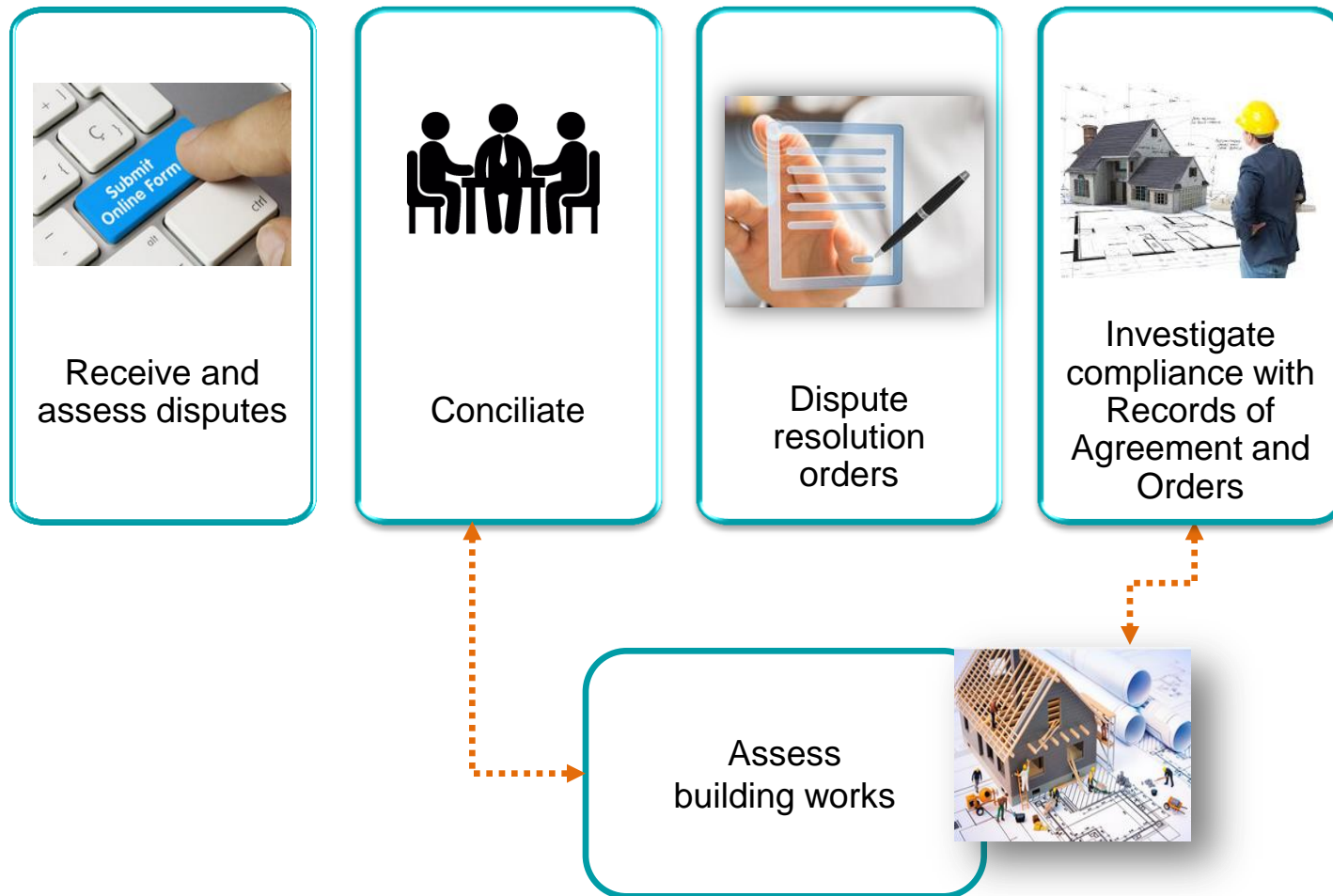
- A service that is independent
- A seamless end to end service, with smooth processes that avoid over handling of information.
- The dispute resolution approach encourages parties to resolve their disputes as informally as possible, but has the reassurance of the legislative powers to step in when need be.
- A respectful and inclusive service where, in so far as practicable, services are tailored within legislative requirements.
- A high quality, professional service that is transparent and accountable for its actions and decisions.



*Free  
Fair  
Fast*



# Key activities of DBDRV



# Disputes DBDRV can conciliate

## Disputes about...

- Construction, renovation or extension of a home or unit; or
- **Associated building** work such as garages, driveways, swimming pools and spas.

## Dispute categories

- Defective or incomplete.
- Timeliness.
- Statutory warranty.
- Payment.
- Other contract issues.



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# Initial assessment

## Out of jurisdiction

DBDRV cannot conciliate disputes...

- About a contract for only one of the types of work listed in the regulations.
- About building work involving premises used only for commercial or business purposes.
- Between builders and sub-contractors.
- Between builders and architects.
- Already in VCAT.
- About building work that is over 10 years old.



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# Initial assessment



## Not suitable for conciliation

Some disputes will be rejected as *not suitable for conciliation* because ...

- Applicant did not take reasonable steps prior to lodgment to resolve the dispute.
- DBDRV could not obtain sufficient information from the parties.
- Conciliation is unlikely to resolve the dispute.
- Dispute has been resolved (since it was lodged with the DBDRV).
- Dispute is frivolous, vexatious or lacking in substance.

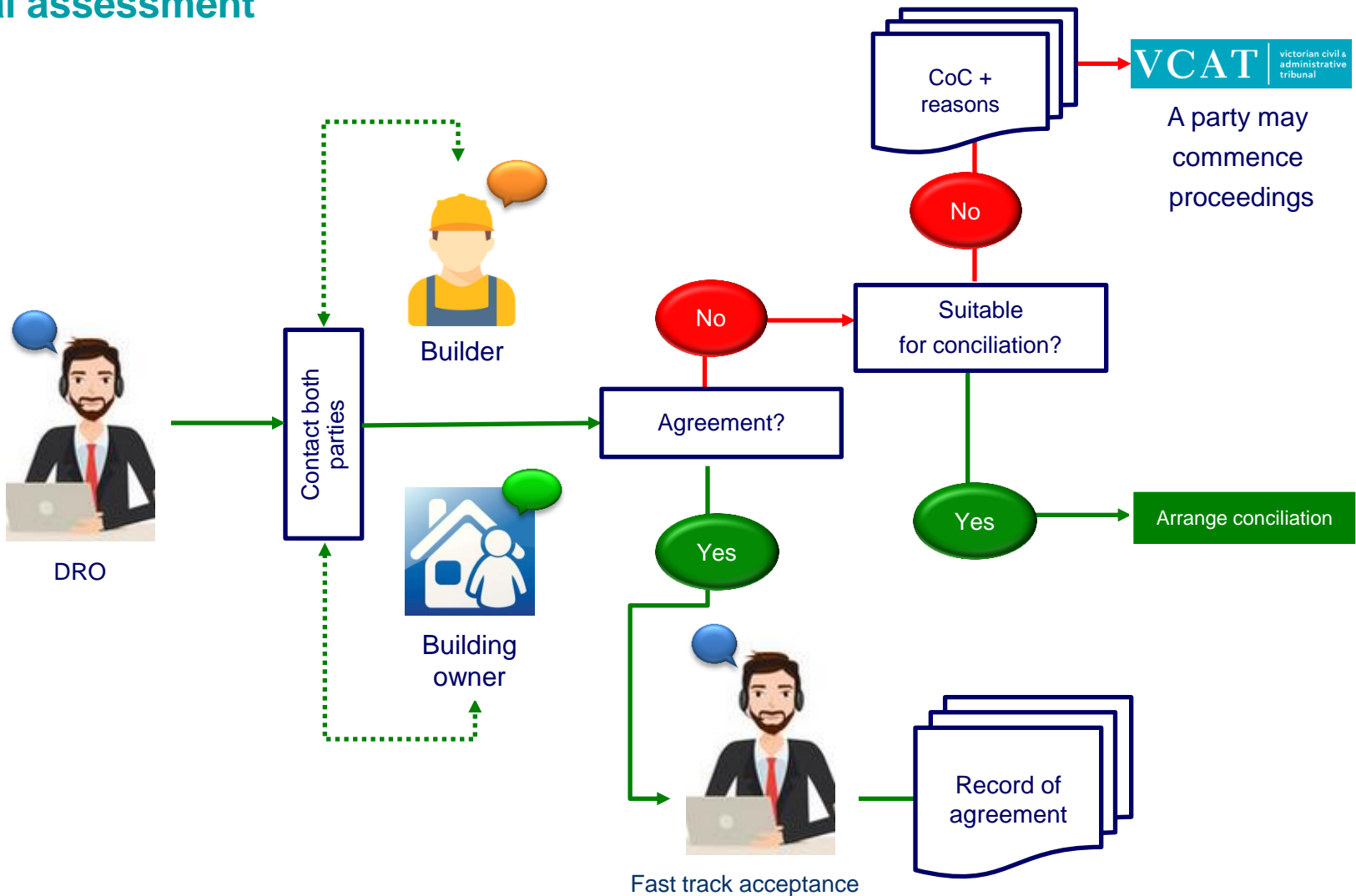


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# Dispute resolution process overview

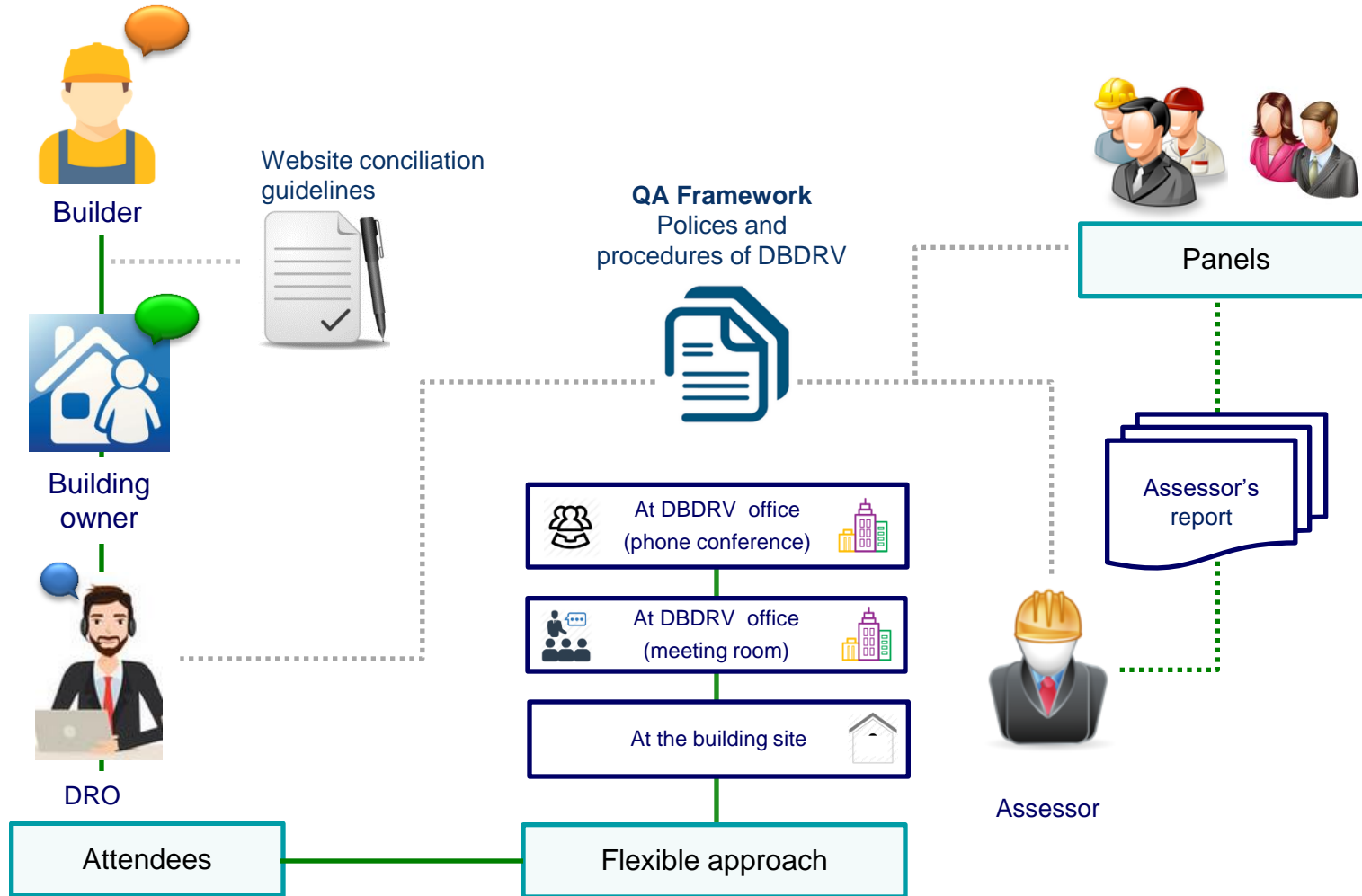
## Initial assessment



Early resolution

# Dispute resolution process overview

## Conciliation model





# Participation in conciliation

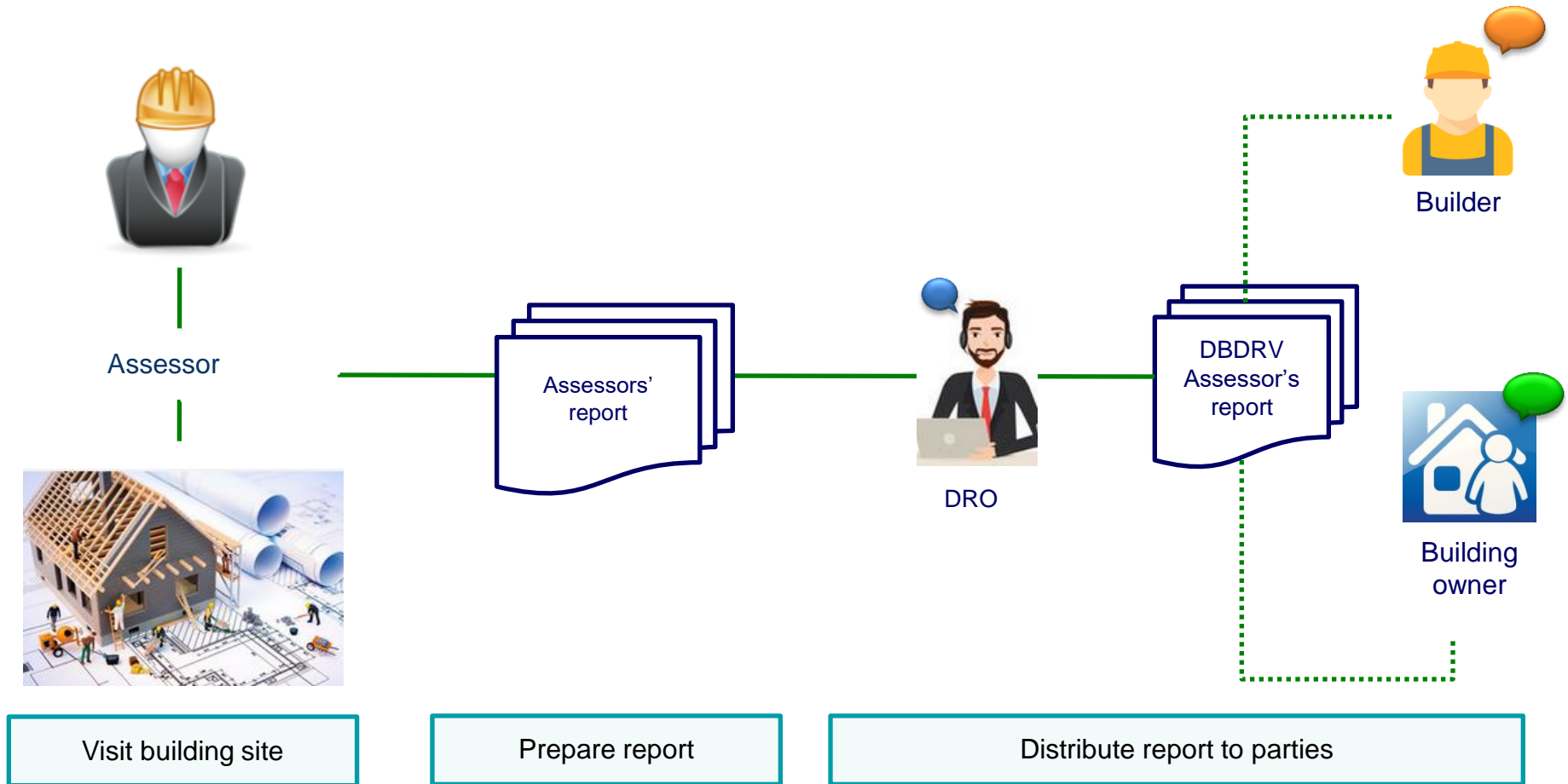
- Parties should engage directly in the process.
- DBDRV recognises that support persons and spokespersons can improve the fairness, efficiency and effectiveness of conciliation.
- Project Steering Committee has endorsed a set of principles for participation.
- DBDRV will be open to requests for a support or spokesperson to attend a conciliation conference.
- Legal representation – no entitlement in legislation: principles based consideration case-by-case basis
- In all cases, the DRO will control the conciliation process and will determine the way the support people can participate in the conciliation.



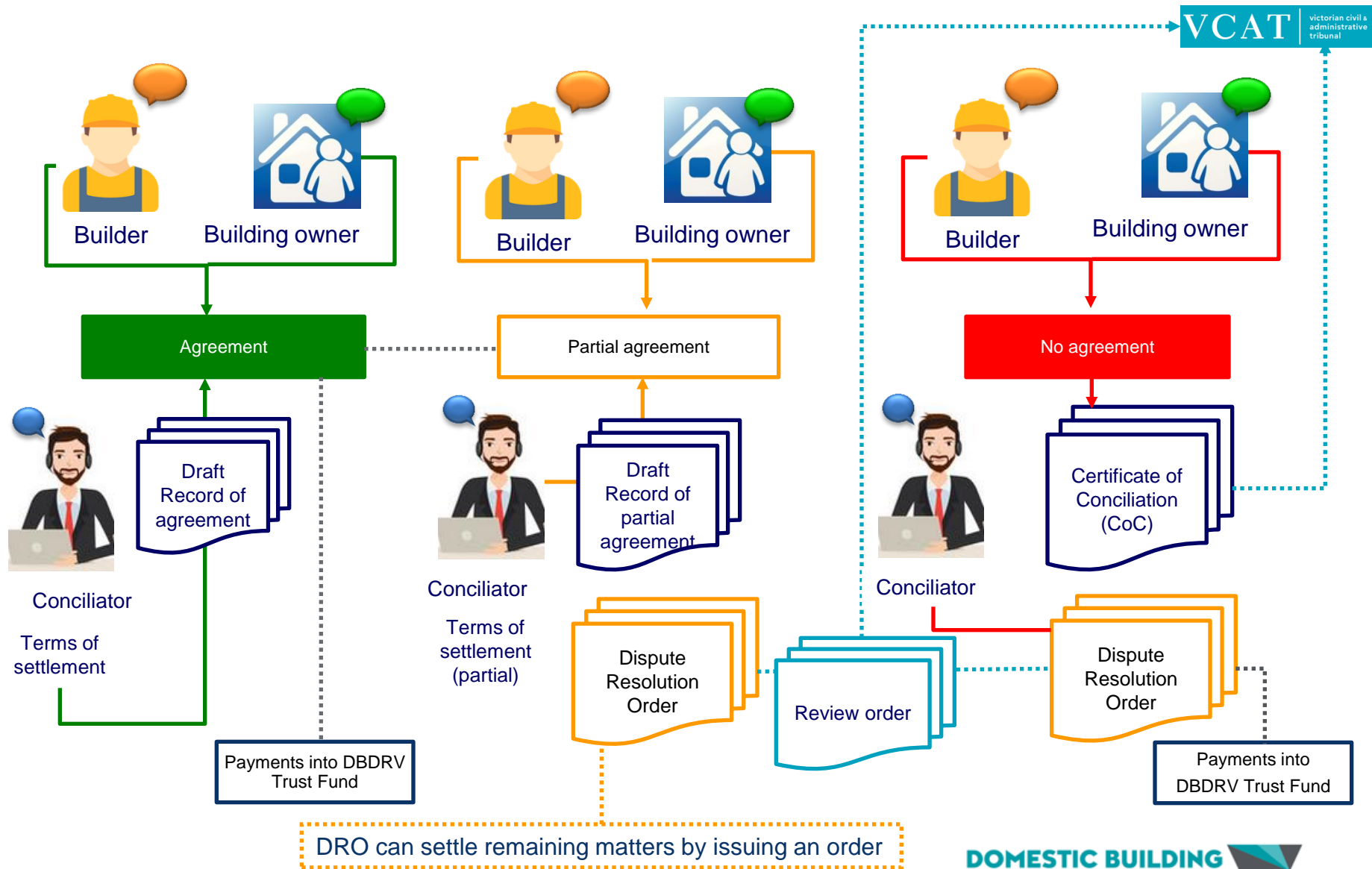
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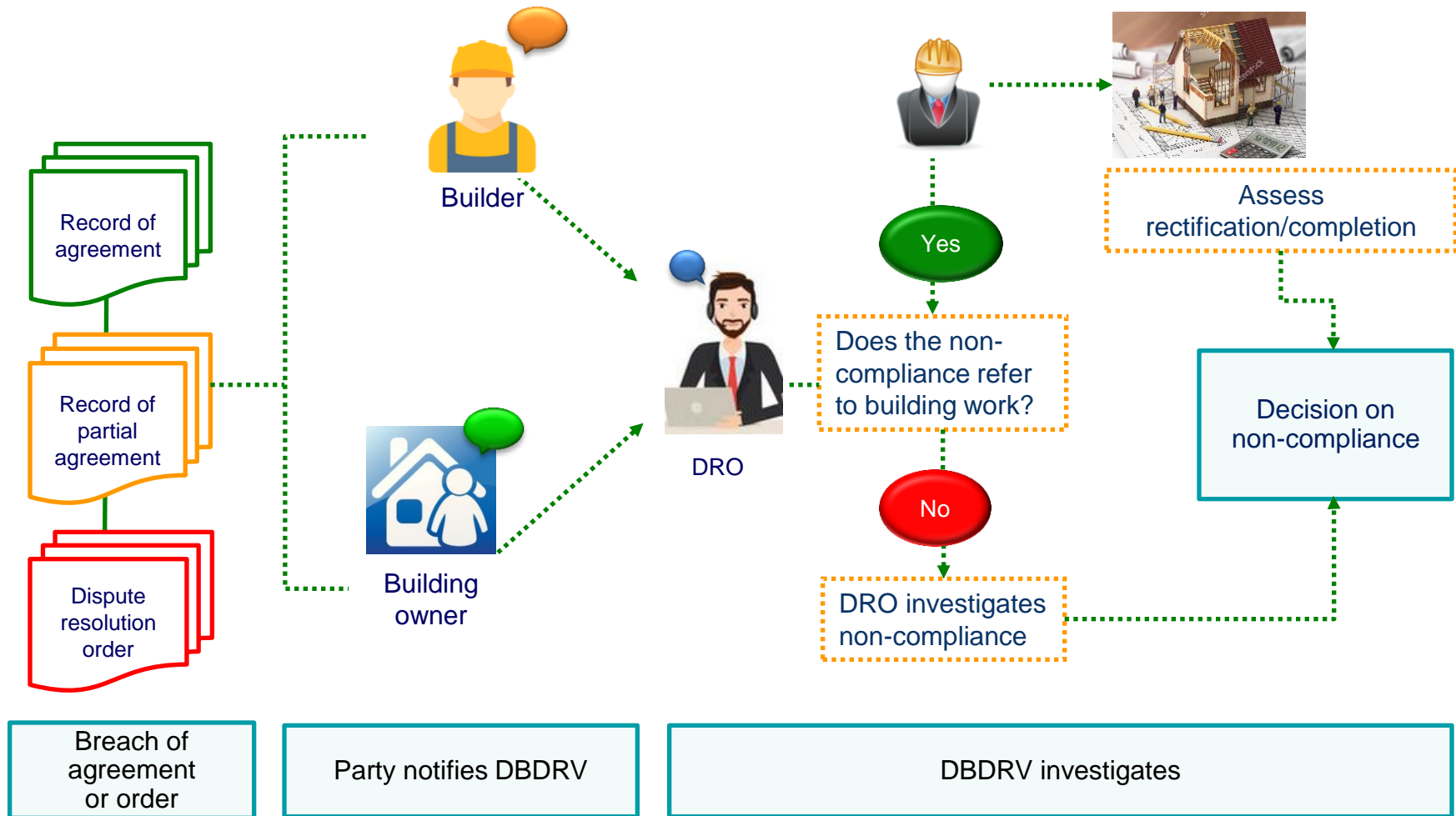
# Assess disputed building works



# Conciliation outcomes



# Investigate compliance with Records of agreement and Orders



# Opening 26<sup>th</sup> April 2017

## Completing:

- Accommodation fit out at 222 Exhibition Street Melbourne
- Recruitment of additional DBDRV staff
- Recruitment of additional sessional panels – Assessors and Conciliators
- Case management system and website launch
- Polishing processes, procedures and frameworks



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