

Media Release

Friday August 25, 2017

Unlicensed air-conditioning contractor to pay

A South Australian air-conditioning contractor has been ordered to pay more than \$34,000 in compensation and fines in the Adelaide Magistrates Court.

Kain Selby-Fullgrabe, 43, sole director of Town and Country Building Management Pty Ltd, pleaded guilty to breaches of the *Australian Consumer Law (SA)* in the Adelaide Magistrates Court this week for aiding and abetting the company to take deposits from consumers and failing to provide the goods and services within a reasonable time.

The company also pleaded guilty to charges of carrying on business as a building work contractor and electrical contractor without a licence and five counts of accepting payment for services and not providing those services within a reasonable time.

The court heard that, on five separate occasions between September 2014 and January 2015, Selby-Fullgrabe, who lives in the Adelaide Hills, provided quotes and took deposits for the installation and removal of air-conditioning units in Adelaide and on Yorke Peninsula but failed to provide the goods and services.

The matters were escalated to Compulsory Conciliation Conferences held by Consumer and Business Services, where Selby-Fullgrabe agreed to refund the deposits, but failed to do so.

In sentencing submissions, counsel for the Commissioner for Consumer Affairs submitted there were aggravating factors that highlighted the seriousness of the offending, including Selby-Fullgrabe's acceptance of deposits from clients, and refusal to engage with them when work was not commenced.

Mr Grasso recorded convictions on all counts against the company and Mr Selby-Fullgrabe personally. He imposed one penalty against the company of \$10,000, and a separate penalty of \$10,000 against Mr Selby-Fullgrabe, prosecution costs of \$800, and also ordered that Mr Selby-Fullgrabe pay compensation to each of the consumers totalling \$13,786.

Commissioner for Consumer Affairs, Dini Soulio, said Mr Selby-Fullgrabe's actions were serious and that the convictions should send a significant deterrent to tradespeople who might be minded to take deposits from consumers and not follow through with the services contracted for.

To check whether a builder is licensed, visit the Consumer and Business Services website at www.cbs.sa.gov.au. To report any concerns about a builder or contractor, contact CBS on 131 882.