



Survey responses on WA home building contract laws

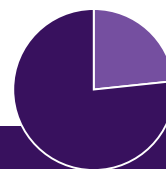
The WA Government is committed to ensuring that all Western Australians have access to effective protections when building or renovating a home. Consistent with this pledge, a review of the State's home building contract laws is currently underway to ensure they remain fit for purpose and protect consumers.

Read the [Terms of Reference](#) for the review.

Phase 1 surveys

Consumers and industry participants were recently surveyed on their understanding of WA's home building contract laws – specifically the *Home Building Contracts Act 1991* (HBCA) and the *Building Services (Complaint Resolution and Administration) Act 2011* (BSCRA Act) – and invited to share feedback on potential reforms or changes that may be required.

Responses and results



Total responses

568

Consumers

172

Industry participants

Total 740

Consumers

46%

moderately to not at all confident they understood new home building contracts

66%

moderately to not at all confident they understood contracts for renovations or minor works

1 in 4

unaware the Building Commissioner could assist with building service or contractual disputes

>50%

want a statutory cooling-off period after signing a contract for a new home

50%

reported a price increase after the contract for a new home was signed, out of the half that experienced a price increase, two-thirds were greater than 5 per cent

Industry

49%

understood most of the HBCA

26%

understood most of the BSCRA Act

>50%

of statutory deposit limits are no longer appropriate and need to be increased

81%

want the HBCA to state when builders can or cannot pass on a price increase

What we heard from industry and consumers

- Industry and consumers agree the current thresholds for HBCA protections (contracts less than \$500,000) is inadequate and has not kept pace with the average cost of a home building project.

'We are not protected for our build over \$500,000. We are basically left to stand on our own and to fight the builder with high legal costs. In the end we paid extra money to the builder because we could not afford legal fees.' – Consumer response

- Consumers and industry would benefit from having a better understanding of their rights and obligations under WA's home building contract laws and help with home building contracts.
- There is support from industry and consumers to increase the current 45-day time period for building approvals that trigger entitlements to price increases under home building works contracts.

'In the current home building environment, a 45-working day timeframe for securing a building permit and other necessary approvals is unrealistic. Processing times for planning and building approvals vary significantly across local governments, and in most councils the timeframe regularly exceeds 45 working days... delays may also occur... that are outside both the builder's and client's control.' – Industry response.

- Industry wants clarity on the circumstances and timing of price increases in the HBCA.
- Consumers want statutory cooling-off periods in home building work contracts.
- There are opportunities to better promote the role and function of Building and Energy, particularly within some groups in the community (e.g. consumers carrying out renovations).
- Early mediations or conciliations by the Building Commissioner will reduce the costs and time taken to resolve building service and home building contract disputes.

80%+

of disputes conciliated by the Department of Local Government, Industry Regulation and Safety Building and Energy division in the last two years have been settled

Next steps

The WA Government is now considering feedback and will release a package of proposed reforms to WA's home building contract laws in early 2026 for broader public comment.