

Before the Building Practitioners Board

	BPB Complaint No. CB26758
Licensed Building Practitioner:	Grant Alan Maitland (the Respondent)
Licence Number:	BP 123204
Licence(s) Held:	Carpentry

Penalty Decision of the Board under section 318 of the Building Act 2004

Complaint or Board Inquiry:	Complaint
Hearing Location:	by Audiovisual Conference
Hearing Type:	In Person
Hearing Date:	25 November 2025
Substantive Decision Issued:	15 December 2025
Penalty Decision Date:	30 April 2026

Board Members Present

Mr M Orange, Chair, Barrister (Presiding)
Mrs F Pearson-Green, Deputy Chair, LBP, Design AoP 2
Mr G Pearson, Barrister and Solicitor – Legal Member
Mr G Anderson, LBP, Carpentry and Site AoP 2

Procedure:

The matter was considered by the Building Practitioners Board (the Board) under the provisions of Part 4 of the Building Act 2004 (the Act), the Building Practitioners (Complaints and Disciplinary Procedures) Regulations 2008 (the Complaints Regulations) and the Board's Complaints and Inquiry Procedures.

Disciplinary Finding:

The Respondent **has** committed disciplinary offences under sections 317(1)(b), 317(1)(g) and 317(1)(h) of the Act.

The Respondent is suspended for a period of nine months and ordered to pay costs of \$2,150. A record of the disciplinary offending will be recorded on the Public Register for a period of three years.

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Summary of the Board’s Penalty Decision

- [1] The Respondent carried out building work in a negligent manner, breached the Code of Ethics by failing to comply with the law, and carried out building work (design work) that was outside of his competence. The Respondent’s licence was suspended for nine months, and he was ordered to pay costs of \$2,150. A record of the disciplinary offending will be recorded on the Public Register for a period of three years.

The Charges

- [2] This penalty decision arises out of the Board’s substantive decision, in which it found that the Respondent had breached section 317(1)(b), (g) and (h) of the Act.
- [3] Having found that one or more of the grounds in section 317 applies, the Board must, under section 318 of the Actⁱ, consider the appropriate disciplinary penalty, whether the Respondent should be ordered to pay any costs and whether the decision should be published.
- [4] In its substantive decision, the Board set out its indicative position regarding penalty, costs, and publication and invited the Respondent to make written submissions on those matters.
- [5] On 16 January 2026, the Board received the Respondent’s submissions. It has considered them and made the following decisions.

Penalty

- [6] The Board’s initial view was that a nine-month licence suspension was the appropriate penalty for the disciplinary offences found.
- [7] The Respondent accepted the disciplinary findings but submitted that the penalty was disproportionate. He pointed out that there had been no findings of dishonesty or intentional wrongdoing, no proven harm to health or safety, the financial and reputational impact of a suspension, and his overall cooperation.

- [8] The licensing regime is designed to uphold standards and, as noted in the Substantive Decision, penalties are designed to protect the public, deter others and penalise wrongdoing. Where possible, a penalty can also be rehabilitative.
- [9] The Respondent has noted that there was no dishonesty or intentional wrongdoing. The Board does not see those as mitigating factors. Rather, had there been dishonesty or intentional wrongdoing, they would have been aggravating factors warranting a harsher penalty. The same applies to no proven harm to health and safety, and, with respect to that submission, there was the potential for the dwelling to deteriorate over time because of the manner in which the Respondent carried out and supervised the building work.
- [10] The impact on the Respondent of a suspension is acknowledged, as is his limited cooperation. They have to be balanced against the Respondent's disciplinary history. Past decisions and orders have not changed his conduct. It should also be noted that the Respondent will be able to work under the supervision of a Licensed Building Practitioner and that he will still be able to carry out or supervise non-restricted building work.
- [11] Taking the above factors into account and noting the Board's comments in its substantive decision regarding the penalty, the Board does not consider that the Respondent has provided any good reasons why the initial penalty proposed should not be affirmed.

Costs

- [12] The Board's initial view was that \$2,150 in costs was appropriate. The Board does not see any reason to depart from its standard costs in this matter, and the amount is affirmed. Whilst the Respondent has noted that he has suffered a financial loss as a result of the matter, costs are imposed so that other Licensed Building Practitioners do not bear the full burden of complaints that are made under the regime. It is appropriate that a contribution be made, and it is to be noted that the amount is far less than 50% of actual costs.

Publication of Name

- [13] The Board's initial view was that there were good reasons to further publish the matter. The Respondent has submitted that further publication is not necessary as the matter will be recorded on the Public Register and because of the potential for reputational harm.
- [14] As previously noted, this is the Respondent's second disciplinary matter, and one of the goals of the disciplinary regime is to protect the public. As a suspension has been ordered, it needs to be disseminated to the public and the industry. The Board is also of the view that others in the industry may learn from the matter, and it may deter others from similar conduct. On that basis, the publication order is affirmed.

Section 318 Order

[15] For the reasons set out above, the Board directs that:

Penalty : Pursuant to section 318(1)(b) of the Act, the Respondent's licence is suspended for a period of nine (9) months. The period of suspension commences on the date of this decision.

Costs: Pursuant to section 318(4) of the Act, the Respondent is ordered to pay costs of \$2,150 (GST included) towards the costs of, and incidental to, the inquiry of the Board.

Publication: The Registrar shall record the Board's action in the Register of Licensed Building Practitioners in accordance with section 301(1)(l)(iii) of the Act.

In terms of section 318(5) of the Act, the Respondent will be named in this decision, which will be published on the Board's website, and the Registrar is to publish an article summarising the Board's decision in the Wrap Up.

[16] The Respondent should note that the Board may, under section 319 of the Act, suspend or cancel a licensed building practitioner's licence if fines or costs imposed as a result of disciplinary action are not paid.

Right of Appeal

[17] The right to appeal Board decisions is provided for in s 330(2) of the Actⁱ.

Addendum

[18] On 28 April 2026, after the Board had considered the submissions and before its decision had been drafted and issued, the Respondent made a further submission. It has been considered. It has not resulted in any changes to this decision.

[19] In his further submission, the Respondent raised issues that are outside of the Board's jurisdiction, including matters regarding the Privacy Act. With respect to the latter, he should note that proceedings before the Board and the handling of evidence are not subject to the Privacy Act.

Signed and dated this 18th day of May 2026.



Mr M Orange
Presiding Member

ⁱ **Section 318 of the Act**

(1) In any case to which section 317 applies, the Board may

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- (a) *do both of the following things:*
 - (i) *cancel the person's licensing, and direct the Registrar to remove the person's name from the register; and*
 - (ii) *order that the person may not apply to be relicensed before the expiry of a specified period:*
 - (b) *suspend the person's licensing for a period of no more than 12 months or until the person meets specified conditions relating to the licensing (but, in any case, not for a period of more than 12 months) and direct the Registrar to record the suspension in the register:*
 - (c) *restrict the type of building work or building inspection work that the person may carry out or supervise under the person's licensing class or classes and direct the Registrar to record the restriction in the register:*
 - (d) *order that the person be censured:*
 - (e) *order that the person undertake training specified in the order:*
 - (f) *order that the person pay a fine not exceeding \$10,000.*
 - (2) *The Board may take only one type of action in subsection 1(a) to (d) in relation to a case, except that it may impose a fine under subsection (1)(f) in addition to taking the action under subsection (1)(b) or (d).*
 - (3) *No fine may be imposed under subsection (1)(f) in relation to an act or omission that constitutes an offence for which the person has been convicted by a court.*
 - (4) *In any case to which section 317 applies, the Board may order that the person must pay the costs and expenses of, and incidental to, the inquiry by the Board.*
 - (5) *In addition to requiring the Registrar to notify in the register an action taken by the Board under this section, the Board may publicly notify the action in any other way it thinks fit."*

ii Section 330 Right of appeal

- (2) *A person may appeal to a District Court against any decision of the Board—*
 - (b) *to take any action referred to in section 318.*

Section 331 Time in which appeal must be brought

An appeal must be lodged—

- (a) *within 20 working days after notice of the decision or action is communicated to the appellant; or*
- (b) *within any further time that the appeal authority allows on application made before or after the period expires.*