



BOARD OF ARCHITECTS
OF QUEENSLAND

MEDIA RELEASE

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BOAQ Acts to Protect Queensland Consumers

The development industry is on notice after a South-East Queensland building company and a building designer were last week (24 January 2018) convicted of a range of offences relating to illegally offering architectural services in Queensland.

Nova Design Group Pty Ltd, from Murrumba Downs north of Brisbane, was convicted in the Brisbane Magistrates Court of three 'holding out' offences under the *Architects Act 2002*.

The Act aims to protect the public by upholding standards of practice of architects and maintaining public confidence in the architectural profession.

It makes it illegal for unqualified individuals and companies to claim or hold themselves out to be an 'architect' or provide 'architectural services'.

The court found that Nova Design Group – also trading as Nova Design Granny Flats, Granny Flats for the Right Price and Kit Homes for the Right Price – breached the Act between August 2015 and June 2017 by offering architectural services across several websites and other communications, and in dealings with its clients.

The offences – each of which carries a maximum fine of \$630,750 for a company – included claiming and 'holding out' an individual as an architect, and failing to ensure a registered architect carried out or was responsible for carrying out architectural services, where it had been claimed or held out that an architect would be providing them.

Company secretary and Nova Design Group's 'principal architectural designer', Michael Edmond King (who is not an architect registered with the Board of Architects of Queensland (BOAQ)), was also convicted of three 'holding out' offences, each of which carries a maximum \$126,150 fine for an individual.

The individual offences included using the title 'architect' on websites, allowing himself to be 'held out' as an 'architect' on websites operated by Nova Design Group, and failing to ensure an 'architect' carried out or was responsible for carrying out 'architectural services', where he had been claimed or held out that an architect would be providing them.

Nova Design Group was fined \$30,000 and ordered to pay \$20,000 towards the BOAQ's legal and investigation costs, with a conviction recorded.

Mr King was fined \$12,000 and ordered to pay \$10,000 in costs, with a conviction recorded.

This matter marks the first recorded conviction against a company and an individual by BOAQ for 'holding out' offences under the *Architects Act 2002*, and the first recorded conviction of an individual since 2012.

Evidence presented to the court stated that Nova Design Group had claimed on numerous occasions that Mr King had a 'Diploma in Architecture from the State University in Bucharest, Romania' and that

he boasted 'decades of experience in architectural design', reflected in buildings throughout the USA, Spain, Romania and Australia.

The court also heard Mr King was previously convicted and fined in 1999, in the Maroochydore Magistrates Court, for similar 'holding out' offences against the *Architects Act 1985* under another name, Michael Petrascu.

The Board of Architects of Queensland's Chairperson, Professor Susan Savage, said there are more than 2500 qualified architects who are registered with the BOAQ, and therefore permitted to practise in Queensland.

"Architects play a very important role in shaping the future of Queensland's built environment, and the Board exists to protect the public by ensuring the standards of the profession are upheld," said Professor Savage.

"Every year, tens of thousands of Queenslanders, as well as companies and institutions, rely on architectural services – they deserve to have confidence that anyone using the title 'architect' has the necessary qualifications, skills and practical experience to provide those services."

Professor Savage said the easiest way for people to check that the person they are dealing with is, in fact, an architect registered with the BOAQ is to conduct a free search on the Board's website: www.boaq.qld.gov.au.

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