

For Homeowners



HBCF Homeowner Claims Fact Sheet

Lodge claim



Assess claim



Settle claim



Close claim

We hope that this information will help you (the homeowner) to understand the steps in the icare Home Building Compensation Fund (HBCF) **Claims Management process**. For concise and clear information about your **Home Building Compensation insurance policy**, refer to the [HBCF Claims Information for Homeowners](#).

When can you make a claim?

To establish *grounds for a claim* against your builder for faulty or incomplete work, an insurable **'trigger event'** must have occurred.

Trigger events

Your insurance policy is only activated if a **'trigger event'** occurs and you are unable to recover from the builder because of it. **Trigger events** are:

- the builder dies
- the builder becomes insolvent
- the builder disappears
- the builder's licence is suspended because they failed to comply with an NCAT or Court order to pay you.

What are the policy insurance periods?

The *Home Building Act 1989* sets these insurance periods. A claim is only valid if made within them.

Incomplete work

- **within twelve months** of the date the work stopped or failed to start

Completed work

- **within six years** of the date of completion **for major defects**
- **within two years** of the date of completion **for other defects**

Note: Refer to your policy for definitions of defects.



How do I lodge a notification?

You can send a **Loss Notification form** to the icare HBCF **before** the grounds for a claim are established.

You must notify icare HBCF of your loss within your insurance periods.

Your notification will protect your claim rights, so you may be able to make a claim after the insurance periods expire.

If you don't notify within the insurance periods, you may not be able to claim later.

The HBCF Loss Notification form and contact details are available on the icare HBCF website: <https://www.icare.nsw.gov.au/builders-and-homeowners/homeowners/claims>.

The form should include as much detail about any incomplete work, defective work, and any other losses you think you may need to claim later.

How do I lodge a claim?

You can **lodge a claim** when the grounds for a claim are established.

Note: To avoid delays and help the claims manager assess the claim, please provide all the relevant documentation requested in the HBCF Claim form and any receipts, invoices, statements, and other payment details that support your claim.

The **HBCF Claim form** and contact details are available on the icare HBCF website: <https://www.icare.nsw.gov.au/builders-and-homeowners/homeowners/claims>.

How is the claim assessed?

icare HBCF may appoint a building consultant to visit your property, do an inspection and review the items on the claim form. You will need to give the building consultant access to the property and it's usually best if you are there during the inspection.

The building consultant will give icare HBCF a detailed report, with the reasons for their opinion on each claimed item.

icare HBCF will review all the information we have and assess what the policy will cover. Then we will send you a determination letter that includes the building consultant's report and lists all items the policy covers.

The determination letter will include decisions on each of the items you claimed. If you agree to these decisions, icare HBCF will start to source quotations for the work. You can nominate your own builder or any licensed builder to submit a quotation.

Note: icare HBCF tries to determine claims within 90 days, but some claims are very complex and have unique issues. For these claims, we will estimate how much longer it will take and ask you to agree to a new date for our determination.

icare HBCF will determine the most appropriate quotation. If you use a different builder that charges more, you will need to pay the difference.

Interim payments during assessment

While you're waiting for icare HBCF to assess your claim, **you may be eligible** for some financial relief. **If applicable**, icare HBCF may settle incurred costs and make payments for:

- reasonable legal and other costs of pursuing the builder
- storage fees
- alternative accommodation

icare HBCF will send you a detailed Settlement letter each time they make a payment.

How is the claim settled?

Typically, icare HBCF makes progress payments to the rectifying builder. Depending on the specific details of the settlement, icare HBCF may agree to a different arrangement.

When is the claim closed?

The claim is closed once icare HBCF has made the final payment, according to your settlement with us.



Extended claim periods

In special circumstances, you may have the benefit of an extended claim period or make a delayed claim.

■ **Note:** You must notify icare HBCF of your loss within the insurance periods to qualify.

The HBC insurance policy defines the requirements and entitlements covering extended claim periods and delayed claims.

Claims management service standards

icare HBCF service standards are defined in *Claims Information for Homeowners*.

For detailed information refer to [Claims Information for Homeowners](#) on the icare website.

Caring for your mental health

Dealing with building work problems can be very stressful, so icare HBCF offers the services of Acacia Psychology to help you through it.

Call Acacia Psychology for a confidential counselling session on 1300 078 489.

■ **Note:** This document contains general information only. It is not specific to the circumstances of your policy or claim. You should not rely upon this document for specific policy or claim issues. You should raise those issues with icare HBCF.



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