



ASSURANCE
Fair Trading Act 1987
Section 79

Assurance to the Commissioner for Consumer Affairs given for the purposes of s79 of the *Fair Trading Act 1987* by:

Mr Nicholas Kalaitzis trading as Trade Services SA
ABN 24 972 356 074

1. PERSONS GIVING THIS ASSURANCE

- 1.1. This Assurance is given to the Commissioner for Consumer Affairs ("the Commissioner") by Mr Nicholas Kalaitzis trading as Trade Services SA, Torrensville in the state of South Australia for the purposes of Section 79 of the *Fair Trading Act (SA) 1987*.

2. BACKGROUND

- 2.1. Mr Nicholas Kalaitzis is a natural person and sole trader, ABN 24 972 356 074.
- 2.2. Between 15 February 2020 and 18 August 2020 Mr Kalaitzis did not hold a building work contractor's licence issued under the *Building Work Contractor's Act 1995* ("the Act").
- 2.3. Section 6 of the Act prohibits a person from carrying on business as a building work contractor except as authorised by a licence under that Part.

3. CONDUCT OF CONCERN

- 3.1. Between 15 February 2020 and 18 August 2020 Mr Kalaitzis carried on business as a building work contractor by providing a quotation to perform building work to a consumer's property, accepting payments from the consumer and arranging for various licenced trade persons to carry out the works at the property.
- 3.2. In relation to building work, *perform* includes organising or arranging for the performance of building work.
- 3.3. At all relevant times Mr Kalaitzis did not hold a licence authorising him to contract for building work as required under the Act.

4. CONTRAVENTIONS

- 4.1. The Commissioner considers, and Mr Kalaitzis acknowledges that by engaging in the conduct described in paragraphs 3.1 – 3.3 above, it is likely that Mr Kalaitzis has:

- 4.1.1. carried on business as a building work contractor whilst not authorised to do so by licence, in contravention of section 6(1)(a) of the *Building Work Contractors Act 1995*.

5. ASSURANCE GIVEN BY NICHOLAS KALAITZIS FOR THE PURPOSES OF SECTION 79 OF THE *FAIR TRADING ACT 1987*

- 5.1. In response to the concerns raised by Consumer and Business Services (CBS) on behalf of the Commissioner, Mr Nicholas Kalaitzis provides an Assurance to the Commissioner that he:

- 5.1.1. Will not carry on a business as a building work contractor unless authorised by licence under the *Building Work Contractors Act 1995*;

6. COMMENCEMENT OF ASSURANCE/UNDERTAKING

- 6.1. This Assurance comes into effect when:

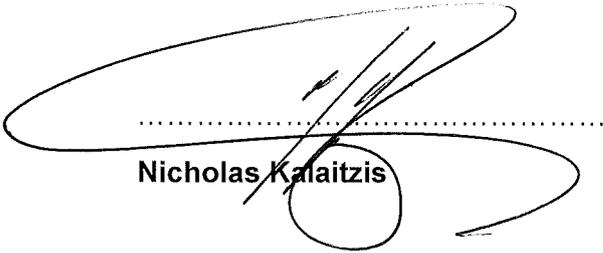
- 6.1.1. the Assurance is executed by Mr Kalaitzis
- 6.1.2. the Commissioner accepts the Assurance so executed.

7. ACKNOWLEDGMENTS

- 7.1. Mr Nicholas Kalaitzis acknowledges that:

- 7.1.1. It is an offence to breach an Assurance, as set out in section 81 of the *Fair Trading Act 1987*;
- 7.1.2. CBS will make this Assurance publicly available including by publishing it on CBS' public register of Assurances on its website;
- 7.1.3. CBS will, from time to time, make public reference to the Assurance including in news media statements and in CBS publications;
- 7.1.4. This Assurance in no way derogates from the rights and remedies available to any other person arising from the alleged conduct; and
- 7.1.5. This Assurance may be produced to any Court in respect of any proceedings alleging any future contraventions of the *Fair Trading Act 1987*.

EXECUTED BY MR NICHOLAS KALAITZIS



.....
Nicholas Kalaitzis

Date: 06/12/2021



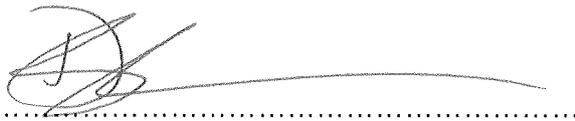
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Signature of Witness

Name: Gary Johnson

Date: 06/12/2021

Accepted by the Commissioner for Consumer Affairs (SA) pursuant to s79 of the *Fair Trading Act 1987*.



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Commissioner for Consumer Affairs (SA)

Date: 7/12/21