

## HBCF Claims Fact Sheet



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 Homeowner Fact Sheet](#).

### Grounds for 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.

### 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.

### Lodge a notification

Gallagher Bassett is the claims manager, on behalf of icare HBCF. You can send a **Loss Notification form** to the claims manager **before** the grounds for a claim are established.

**You must notify the claims manager 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.

### 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>.

## Assess the claim

The claims manager 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 the claims manager a detailed report, with the reasons for their opinion on each claimed item.

The claims manager will review all the information they have and assess what the policy will cover. Then they 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, the claims manager 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.**

The claims manager will determine the most appropriate quotation. If you use a different builder that charges more, you must pay the difference.

### Interim payments during assessment

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

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

The claims manager will send you a detailed Settlement letter each time they make a payment.

## Settle the claim

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

## Close the claim

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 the claims manager 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

Claims manager service standards are defined in *Claims Information for Homeowners*.

## 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 works problems can be very stressful, so Gallagher Bassett offer the services of LifeWorks to help you through it. Call LifeWorks for a confidential counselling session on 1300 361 008.

- **Telephone counselling:** Arrange a telephone counselling appointment within a business day.
- **Assessment of risk of harm:** All callers to the service are assessed for risk of harm. If necessary, LifeWorks will connect callers with immediate counselling support.

**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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