

Dear RTA officer,

My name is Clemente Capdevila, an electrical contractor and a Queensland Electrical Leader providing information for the Queensland Electrical Safety Office and other entities to achieve the goal to make the Queensland community safe from electrical harm and fire.

My input to the Government is from my experience and activities conducted as a Queensland electrical contractor. Working directly within the residential sector for 16 years with over 10,000 customers, my expertise is in identifying dangers before they become a death, shock or fire. From 2016 we conducted a complimentary full home electrical safety inspection to all new customers and to all existing customers dating back to 2007, by:

1. Testing digitally live cables for signs of deterioration that causes safety switches to not work correctly by increasing the time exposed to a current under fault and in worst cases safety switches not working at all
2. Checked for exposed single insulated cabling
3. Checked for double insulated cable at arm's reach
4. Tested safety switches from the test button
5. Tested back to the safety switch from every power point
6. Checked metal fittings for earthing
7. Checked for cracked light switches and power points
8. Checked internal and external fixtures and fittings for signs of deterioration or damage
9. Checked for non-compliance fittings, fixtures and installations
10. Checked for voltages on taps
11. Checked appliances, solar inverter/isolator/panels, safety switches, cables, fixtures and fittings on recalled databases
12. Checked switchboards for life and fire safety protection, compliance and deteriorated or damaged cabling and switches
13. Checked switchboard location for compliance
14. Checked for main switch circuit breaker
15. Checked for age of safety switches and asking customers if conducting testing or not testing procedures
16. Checked for earth stake

A full written report and a quote was produced at this point, not one home inspected new or old did not need a quote for rectification of the risk of electrical harm to the occupants.

To give an example of how the ASNZS3000:2018 still leaves home occupants at risk

1. The need to test the safety switches with information on how to test is not passed to the occupant
2. The installation of safety switches on all circuits does not provide any fire prevention from an arc fault (the 40% cause of Queensland fires)

3. The need to add a safety switch with a new circuit often leaves the new circuit protected but other circuits unprotected, or the safety switch connected to an expired cable that does not trip the safety switch from any point other than the test button
4. No follow up checks and tests are required for the residential sector, so as the deterioration process of cabling, fixtures, fittings and safety switches occur, combined with loosely terminated connections, the death, shocks and fire risk will continue to affect the Queensland community.

In 2018 I conducted the Inala Electrical Danger Free Check Door Knock Appeal. This event caused a case which is worth mentioning here.

One rental property we checked and tested had a range of twenty-five dangers combined with non-compliant works. The tenant sent the written information to their real estate with the quote for rectification. The real estate then sent the five previous electricians who had serviced the property and on reading my information all agreed that the work was required. The landlord decided to release the tenants from the property with no penalty and placed boards on windows. Eventually the property was demolished due to other areas in plumbing and structure that needed attention. This event then made real estate companies inform their tenants that “if Clems Electrical knocks on your door, tell them they’re not allowed entry “. Tenants refused to listen to real estates as the local 4070 community page reviewed us eventually as honest electricians helping the people in the community. We performed over 1,000 inspections during the campaign. Housing commission was another case of maintenance managers not possessing an understanding of electrical safety. Such as cracked switches, no circuit breaker main switch, no frequent testing of the safety switches and the list continues. In one case the consumer mains conduit on the outside of the house was broken exposing the consumer mains at ground level, this was after a passed safety inspection had just been conducted by housing commission. The housing commission manager was provided with information to pass on to his superiors on how to check for electrical safety. One of my electricians reported in 2020 that a housing commission home had all their power points and light switches replaced by housing commission.

I wrote the first 2018 Qld Electrical Danger Report, expressing my need for an educated community on the dangers in our homes to ninety-one politicians in Queensland. Continued in 2020 to 2023 with full page articles in the Courier-Mail educating the public on electrical dangers with solutions, become a Gold Master Electrician, conducted several meetings with The Electrical Safety Office, published children’s educational books and games on electrical safety, published books for the community and landlords, produced a D.I.Y check kit for occupants to stay ahead of electrical risks. These works and many more activities that have created the Queensland Electrical Safety Office and other organisations to make changes for the better good of our Queensland community have made me a respected leader in the electrical community.

The outcome of my findings as the first person to ever perform a residential home electrical safety complete home check at such a large scale is that we all live in electrically unsafe homes from a safety switch not tested frequently and failing when required to perform, to a

power point that passed quality control and is defective in tripping a safety switch when required. The dangers extend to expired cables or recalled cables, recalled fire hazard equipment and deteriorating protective barriers in switches, cabling, power points and fixtures. And that is just on the electrical shock and death side. On the fire side is arc faults on loosely connected terminals and overloaded cables on faulty circuit breakers or homes with no main switch circuit breaker protection.

The problem continues to the extent as the Government introduced protection to the community within the powers of the Queensland Electrical Safety Act 2002. The Queensland Electrical Safety Act 2002 within its enforced relating to a landlord, is designed to protect the tenant from the risk of death, injury or illness from electricity caused by the electrical installation, fixtures and fittings provided by the landlord.

My experience is that

1. Landlords do not know about the Act and that they have an obligation
2. Tenants are afraid to report findings from an electrician to the landlord in fear of eviction
3. Real estate agents are not aware of the Act and are stuck between enforcing compliance with the landlord and maintaining a contractual relationship
4. Real estate agents using electricians that only perform the job required and leaves tenants with possible unseen danger behind
5. Real estate's using the cheapest quote that don't include safety switches on all circuits to protect lives, updating the non-circuit breaker main switch to a circuit breaker to prevent house fires from overloading the consumer mains, not conducting electrical safety inspections identifying any danger that may be present placing the landlord at risk of breaching the Act and tenants at risk of harm from electricity cause by the rental property.

The problem that causes tenants to stay electrically free from the risk of harm, is that the right of a tenant to be in an electrically safe home is determined by the real estate's balancing act with the tenants needs and the landlords needs by minimising the landlords expenditure to keep the real estate listing.

This problem was expressed to me by hundreds of our customers, and it is proven here with my last landlord and real estate agent.

The scene is set as I entered the rental agreement I conducted an electrical safety inspection.

The inspection results concluded

1. Cabling tests indicating the need for rewiring the 50+ year-old property
2. Cracked light switch plates
3. Cracked light switch switching mechanisms
4. Cracked power points
5. Cracked power point switching mechanisms
6. One power point not tripping the safety switch when tested
7. Outside switchboard and metering exposed to rain with a non-weatherproof switchboard

8. Rangehood over gas cooktop not at regulation height
9. Switches over cooktop not at regulation
10. Unprotected circuits by not having safety switches on all circuits
11. Cable exposed at arm's reach with single insulation
12. Unsupported cabling at arm's reach
13. No earth stake
14. No earthing on metal light fittings
15. Several single vertical power points replaced with double horizontal orientation  
power points fitted vertically

Renting a rental property in this condition is a classical case of a landlord in breach of the Queensland Electrical Safety Act 2002.

I notified the real estate agent of my findings and informed I would need to report the findings. The real estate agent told me that if I did I would be evicted. I then informed the real estate agent I would withhold reporting and produce a quote for the landlord to rectify the dangers at cost price of materials. The real estate agent agreed to send the quote to the landlord and the following statement is taken from the real estate agents response to my quote.

**“Regarding the quote, we could understand you, as electrician, might think it is outdated in terms of wires or cables. But it was built by the builder and electrician at that time. The owners and previous tenants had no any issues with electricity use even though they are living here for a few years. You inspected the house in person and applied for it. The owner has no plan or budget to do renovation of the house or the cables. The house is still the house you inspected when making your decision. If you changed your mind and don't want to live here any more, you could go through break lease pathway to advise us so that we find new tenants.”**

Furthermore, the landlord prior to renting the property contracted the services of an electrician to update the lights. The previous plastic lights required no earth cable connection as per the regulations of the built date. The electrician installed metal based light fittings requiring an earth and did not connect an earth. An of course the electrician did not check or notify the real estate or the landlord of any risks of electrical danger or non-compliance relating to the rental property, which placed me “the renter” at risk of death, shocks and fire, and not protecting the landlord from risk of being reported for breaching the act.

I found myself in the same way that thousands of tenants are faced when dealing with real estate agents and landlords.

What I am requesting for your consideration to protect Queensland tenants and help landlords understand their duty and how to undertake the correct action to comply with their duty.

1. That tenants have the right to improve and remove the risk of electrical danger to protect themselves or/and their family as a personal safety duty of care to

themselves and their family without the need to notify the real estate or landlord. With the understanding that any holes or damaged by fixtures be returned to their original state on departure of the rented property.

2. Include in your literature in the minimum housing standard changes information from the Queensland Electrical Safety Office to help landlords and tenants understand and comply with the Act. – This letter has been forwarded to the Queensland Electrical Safety Office seeking them to respond with a package for you to incorporate.

Specifically in my solution for tenants we provide an information page on my website that provides information on a weatherproof Life & Fire Protection Plug-in product that plugs in to the existing switchboard as a fixture. Once the tenant leaves the property the fixture is removed, and the holes are repaired leaving the property in the original condition.

My question for your consideration extends to my request for my tenants to install the Plug-in system and ask the landlord to pay or agree for the tenant to install the fixture and when departing restoring the fixture damage to the original state.

This will allow families the right to protect the homes from the risk of death, shocks and fire without the input of the untrained electrician in danger prevention, the landlord favouring real estate agent or the hard to reach and uninformed landlord delaying or denying the request. Usually in my experience the real estate sending their listed electrician saying the house is ok.

It might be a good idea here to educate the reader of this document the electricians capacity. That is, an electrician during the apprenticeship stage is trained to principally install, connect and test, incorporating the rules, regulations and standards required for each installation.

Furthermore, the testing is only required for the works conducted by the electrician at the time the works are performed. Leaving the remaining property unchecked as a principle. The checking and testing and education of a deteriorating home is not taught. So, an electrician cannot see or test for the dangers in our homes even when they are staring at a risk directly. So, a full check without the appropriate training to the electrical industry would be of little protection to the community.

The testing tools and sequences taught are for verifying the installation is safe to energise. So only to the point before the deterioration process begins. The knowledge and testing tools and procedures required to identify dangers before they occur is a new certificate IV course I am preparing and without it no current system used will protect the community.

I hope that you can use this information to extend the “emergency electrical fault” with adding “electrical death, shock and fire danger “ notifying the landlord but not requiring approval from the landlord” with the condition to return the property in its original condition at the end of the lease agreement.

I hope that with your combined input we can all help Queensland reduce the 2023 – 6 deaths toll from electricity.

Kind regards  
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