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## LawTalk Blog



# Problems with solar panels

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The rising cost of electricity and the increasing number of sunny days has caused many Adelaide locals consider switching to solar power as it is a desirable and environmentally conscious way of reducing your power bills.

However, the installation of solar panels is a largely unregulated business, as many people rushed to have them installed when the government was offering rebates. As a consequence, many solar installers have become insolvent or abandoned their jobs in the face of complaints about poor workmanship and materials. It is critical that you research the reputation and reliability of a solar installer before you decide on proceeding with a quote.

Despite best intentions and lengthy research, some solar installations are defective. The panels may be misaligned and not capture the sun properly, or they may not convert the sun's energy into power at the rate advertised. Worse, the installation of the panels may be too heavy for the roof to support resulting in leaks and structural damage.

## Are solar panels covered under warranty?

Under the Building Work Contractors Act, the installation of solar panels (at a residential home) is considered to be domestic building work. That means it is covered by the Statutory Warranties which are imposed by that Act, meaning that every solar panel installation carries the warranties that:

1. the solar panels installation will be performed in a proper manner to accepted trade standards and in accordance with the plans and specifications agreed to by the parties;

2. all materials to be supplied by the contractor for use in the solar panel array (including the panels themselves) will be good and proper;
3. the installation of the solar panels will be performed in accordance with all statutory requirements;
4. if the contract does not stipulate a period within which the installation of the solar panels must be completed, then a warranty that it will be performed with reasonable diligence.

## What are the obligations of the solar panel installers?

There are also other obligations solar panel installers in the Act, but whether these apply depends on the value of the contract. If the cost is greater than \$12,000, there are additional requirements such as:

- that the contract be in writing
- the payment be by instalments rather than upfront
- that building indemnity insurance be held by the installer

## How to avoid defective solar panels?

We recommend that the installation of solar panels be reviewed by an independent engineer and electrician at the time they are installed. Any issues with weight of the panels affecting the roof structure, or the panels themselves underperforming, should be identified and fixed before the installation is completed and the final payment made.

## Are you having problems with your solar panels?

If you are having problems with a solar panel installation [contact Andersons Solicitors](#) for advice as to what your consumer rights and remedies are.

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