Public Warning Notice

Issued under section 223 of the *Australian Consumer Law* (SA)
and section 48 of the *Fair Trading Act 1987* (SA)

Joe Dylan Cummings trading as Constant Air Conditioning and Refrigeration Services

The Commissioner for Consumer Affairs is issuing a public warning notice about Joe Dylan Cummings in circumstances where Mr Cummings is alleged to be engaging in conduct which adversely affects or may adversely affect the interests of consumers.

Mr Cummings has contracted for the supply, installation and repair of air-conditioning units using the business name *Constant Air Conditioning and Refrigeration Services* (ABN 33 864 434 463).

Mr Cummings does not hold a building work contractors licence under Part 2 of the *Building Work Contractors Act 1995* (SA) (**BWC Act**). As such, he cannot lawfully contract to perform any "building work" under that Act. This includes the installation of air conditioning units.

Consumer and Business Services (**CBS**) has received several complaints from consumers about Mr Cummings and *Constant Air Conditioning and Refrigeration Services*.

These complaints allege that Mr Cummings:

- contracted to perform building work while unlicensed, namely, supplying and installing air conditioning units.
- held himself out as a licensed building work contractor despite being unlicensed at the time.
- accepted payment for the performance of work, including significant deposit payments, and failed to perform that work in a reasonable time or at all, contrary to section 158(7) of the *Australian Consumer Law* (SA).
- failed to adhere to agreements he made with consumers to repay deposits, including agreements reached through conciliations facilitated by CBS under the *Fair Trading Act 1987* (SA).

It is an offence under section 158(7) of the *Australian Consumer Law* (SA) for a trader to accept payment for the supply of goods or services from a customer (including a deposit or part payment) and then fail to supply those goods or services within the period specified at the time the payment was accepted or, if no period was specified, within a reasonable time.

The following three examples illustrate the conduct alleged in the complaints about Mr Cummings.

Example 1

On 19 August 2025 Mr Cummings gave a quote to a consumer in the amount of $9932 for the supply and installation of an air-conditioning unit at their home using the business name *Constant Air Conditioning and Refrigeration Services*.

This work constituted “building work” under the BWC Act. As such, Mr Cummings was not licensed to contract for this work.

The consumer paid a deposit of $7647 into Mr Cummings’ nominated bank account.

Mr Cummings did not complete the work.

Mr Cummings entered an agreement with the consumer on 25 August 2026 to refund the deposit amount of $7647. However, no refund was received by the consumer.

Example 2

On 7 November 2025 Mr Cummings issued a quote to a consumer in the amount of $8123 to supply and install an air conditioning unit at the consumer’s home. Shortly after, the consumer paid Mr Cummings a deposit of $5530.

Mr Cummings was not licensed to contract for this work. He failed to supply the air conditioning unit or a refund despite repeated attempts by the consumer to obtain redress.

CBS sought to conciliate the dispute between Mr Cummings and the consumer. As a result, Mr Cummings agreed to refund the consumer’s deposit. However, no refund has been received by the consumer.

Example 3

On 10 February 2026 Mr Cummings provided a quote to consumers to supply and install an air conditioning unit at their home. The quote was in the amount of $1701. The consumers paid $1361 to Mr Cummings the next day.

Mr Cummings was not licensed to contract for this work. He failed to supply the air conditioning unit and did not provide a refund to the consumers.

CBS sought to conciliate the dispute. As a result, Mr Cummings agreed to refund the consumers’ deposit. However, no refund has been paid.

The Building Industry Response Team within CBS has issued Mr Cummings a $5000 expiation for the offence of contracting for building work while unlicensed contrary to section 6(1)(a) of the BWC Act.

I consider that Mr Cummings has demonstrated a pattern of conduct involving contracting for building work whilst unlicensed and accepting payments from consumers for goods and services which are not provided in a reasonable time.

I am warning the public about doing business with Mr Cummings as I:

1. consider he has demonstrated a pattern of conduct which involves:

    a. contracting for building work while unlicensed;

    b. failing to supply goods and services despite accepting payments from consumers; and

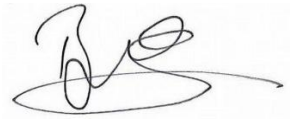
    c. failing to adhere to agreements to refund deposits to consumers.

2. have reasonable grounds to suspect that his conduct may constitute contraventions of the *Australian Consumer Law* (SA) and *Building Work Contractors Act 1995* (SA);

3. am satisfied that one or more persons have suffered, or are likely to suffer, a detriment as a result of the alleged conduct; and

4. am satisfied that it is in the public interest to issue a public warning notice.

If anyone has concerns about their dealings with Joe Dylan Cummings or *Constant Air-Conditioning and Refrigeration Services*, they should contact CBS on 131 882.



Ben Broyd
Assistant Commissioner and Delegate of the Commissioner for Consumer Affairs
Dated: 19 November 2026

Disclaimer: Other individuals or businesses may have similar names to those subject to public warnings. You can check a trader's licence at www.cbs.sa.gov.au/find-a-licence-holder.