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2009/057: The issue of a notice to fix for a house

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Abbreviation

2009/057

Valid from

30/07/2009

Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

This determination arises from the decisions of the authority to refuse to issue a code compliance certificate and to issue a notice to fix for an eight year old house because it is not satisfied that the building work complies with the requirements of certain clauses of the Building Code.

Specifically, the notice to fix cites contraventions of Clauses B1 Structure, B2 Durability, E1 Surface Water, E2 External Moisture, E3 Internal Moisture, G9 Electricity, G13 Foul Water and H1 Energy Efficiency.

In order to determine whether the decision to issue the notice to fix was correct, the matters for determination under section 177(a) and 177(b)(iii) of the Act are:

1. Whether the claddings as installed on the building ('the claddings') comply with Clauses B2 Durability and E2 external Moisture of the Building Code;
2. Whether certain building elements in the house, other than the claddings, comply with the

- relevant clauses of the Building Code;
3. Whether the building elements in the house, other than the claddings, comply with the relevant clauses of the Building Code.

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