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## 2011/051: Regarding the refusal to issue a code compliance certificate for one of a complex of six 16 year-old townhouses

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Abbreviation

2011/051

Valid from

30/05/2011

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Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

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### Description

This determination arises from the decision of the authority to refuse to issue a code compliance certificate for a 16-year-old townhouse because: it is not satisfied that the building work in Unit 1 complies with certain clauses of the Building Code. The authority's concerns about the compliance of the building work primarily relate to its age and weathertightness. Also the six townhouses (the units) at 8A to 8F Moturoa Street (Unit 1 to Unit 6) in the development were constructed under a single building consent. The matter to be determined is therefore whether the authority was correct to refuse to issue a code compliance certificate for Unit 1. In deciding this matter, the following must be considered: 1-Whether the external claddings to Unit 1 (the claddings) comply with Clause B2 Durability and Clause E2 External Moisture of the Building Code; 2-Whether Unit 1 complies with the remaining relevant clauses of the Building Code, in particular with Clause E3 Internal Moisture; 3-Whether the building elements in Unit 1 comply with Clause B2 Durability of the Building Code, taking into account the age of the building work; 4-Whether the authority, in response to an

application from the owner, is required to amend the building consent for the development, which includes Unit 1, so that Unit 1 has its own separate building consent. That would make it possible for the authority to issue a code compliance certificate in respect of Unit 1.

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