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## 2011/059: Refusal to issue code compliance certificate for a 10 year-old residential care facility completed under supervision of a building certifier

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Abbreviation  
2011/059  
Valid from  
13/06/2011

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Information provider  
Ministry of Business, Innovation and Employment  
Information type  
Determination  
Format  
PDF

### Description

This determination arises from the decision of the authority to refuse to issue code compliance certificates for the buildings in a 10-year-old residential care facility (the development). The refusal arose because: the authority is not satisfied that the building work complies with certain clauses of the Building Code; in particular in regard to its age and to the weathertightness of the cladding; and the building work had been undertaken under the supervision of Nationwide Building Certifiers (the building certifier), which was duly registered as a building certifier under the former Building Act 1991, but which ceased operating as a certifier before it had issued code compliance certificates for the building work. The matter to be determined is therefore whether the authority was correct to refuse to issue code compliance certificates for the building work. In deciding this matter, the following must be considered: 1-Whether the external claddings to the buildings (the claddings) comply with Clauses B2 Durability and Clause E2 External Moisture of the Building Code; 2-Whether the development complies with the remaining clauses relevant to this care facility; 3-Whether the building elements comply with Clause B2 Durability of the Building Code, taking into account the age of the alterations.

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