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2013/027: Regarding the exercise of powers in refusing to issue a certificate for a 10 year-old unit completed under supervision of building certifier

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Abbreviation

2013/027

Valid from

16/05/2013

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 a code compliance certificate for a 10-year-old unit. The refusal arose because: the unit is one out of 27 units in 5 blocks within a multi-unit development that were constructed under a single building consent, and the building work had been undertaken under the supervision of Nationwide Building Certifiers, which was duly registered as a building certifier under the Building Act 1991, but which ceased operating as certifiers before it had issued a code compliance certificate for the work. The matter to be determined is whether the authority correctly exercised its powers when it decided to refuse to issue the code compliance certificate. Some of the other owners have expressed an interest in seeking a code compliance certificate for their units. Whilst Unit 14 is the subject unit in this determination, it was constructed under one consent with a number of other units; accordingly I consider that the

findings in this determination will also apply to the other units constructed under building consent 72593 and the general processes involved in establishing compliance and obtaining a code compliance certificate will be the same.

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