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2013/028: Regarding the refusal to issue a code compliance certificate for 10 year-old alterations to a house

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Abbreviation

2013/028

Valid from

20/05/2013

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 10-year-old alterations to the house. The matter to be determined is whether the authority correctly exercised its power of decision when it refused to issue the code compliance certificate. In accordance with section 95A of the current Act the authority provided the owners with four reasons for its refusal (refer paragraph 3.7). In order to determine the matter I have considered each of those reasons as follows: 1-Whether the delay between the practical completion of the building work in 2003 and the application for a code compliance certificate in 2013 is grounds for refusal (items 1 and 2 of the authority's refusal); 2-Whether the lack of inspections carried out by the authority during construction is grounds for refusal (item 3 of the authority's refusal); 3-Whether insulation installed without consent first being obtained or an amendment to the consent sought, and the compliance of that building work, is grounds for refusal (item 4 of the authority's refusal).

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