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2014/001: Regarding the refusal to issue a code compliance certificate for a 10 year-old house with metal and monolithic claddings

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Abbreviation

2014/001

Valid from

21/01/2014

Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

The refusal to issue a coded compliance certificate for a 10 year old house with metal and monolithic claddings at 3 Baxter Way, Karori, Wellington

Scope

This determination arises from the decision of the authority to refuse to issue a code compliance certificate for a 10-year-old house because it was not satisfied that the building work complied with certain clauses of the Building Code (First Schedule, Building Regulations 1992). The authority's concerns about the compliance of the building work relate to the weathertightness of the exterior claddings.

The matter to be determined is therefore whether the authority was correct to refuse to issue a code compliance certificate for the house. In deciding this, I must consider whether the external wall claddings comply with Clause B2 Durability and Clause E2 External Moisture of the Building Code that was in force at the time the consent was issued. The claddings include the components of the systems (such as the flush-finished fibre-cement and the profiled metal wall claddings, the windows and the flashings), as well as the way components have been installed and work together.

The authority issued a notice to fix following its first final inspection in 2009. Items in that notice were subsequently resolved and are not included as current concerns of the authority. This determination therefore does not consider that notice to fix. The authority has also noted that the owners may apply for a modification of the durability requirements to allow durability periods to commence from the date of substantial completion in February 2003. I therefore leave this matter to the parties to resolve in due course. In order to make this determination I have considered whether there is sufficient evidence to establish that the elements identified by the authority comply with the Building Code that was in force at the time the consent was issued.

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