2015/005: The refusal to issue a code compliance certificate for a 12 year-old house completed under the supervision of a building certifier

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Abbreviation
2015/005
Valid from
11/02/2015

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 the 12-year-old house because it was not satisfied that the building work complied with certain clauses of the Building Code.

The authority's concerns appear to relate primarily to the weathertightness of the claddings and because the building work had been undertaken under the supervision of a the building certifier.

The building certifier was duly registered under the Building Act 1991, but ceased operating as a certifier before it had issued a final code compliance certificate for the building work. The matter to be determined is therefore whether the authority was correct to refuse to issue the code compliance certificate.

In deciding this, consideration must be given to:

1. Whether the external building envelope of the house complies 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 building envelope includes the components of the systems (such as the wall cladding, windows, roofing and decks), as well as the way the components have been installed and work together;
2. Whether the building work complies with other relevant clauses of the Building Code that was in force at the time the consent was issued;
3. Whether the authority correctly exercised its powers of decision in its refusal to issue a code compliance certificate on the grounds provided.

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