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2015/024: Regarding 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

2015/024

Valid from

19/05/2015

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 the authority was not satisfied that the house complies with the Building Code (First Schedule, Building Regulations 1992).

The refusal arose because the building work had been undertaken under the supervision of a 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 a code compliance certificate for the building work.

The matter to be determined is therefore the authority's exercise of its power of decision in refusing to issue a code compliance certificate. In making this decision, consideration was given to:

1. The status of code compliance certificate provided by the building certifier;
2. Whether the building work complies with the relevant clauses of the Building Code that was in force at the time the consent was issued;
3. Whether the authority acted appropriately in its refusal or purported refusal to issue a code compliance certificate.

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