

Doc Ref	TS-28 Building WOF-NV
Date	27/05/2008

TS-28 Building Warrant of Fitness (TA Function)

ROLES AND RESPONSIBILITIES

Building Manager

Responsible for ensuring the TA has the appropriate systems in place for receiving and recording the acceptance of annual building warrant of fitness certificates and a certificate of compliance with inspection, maintenance and reporting procedures (form 12A).

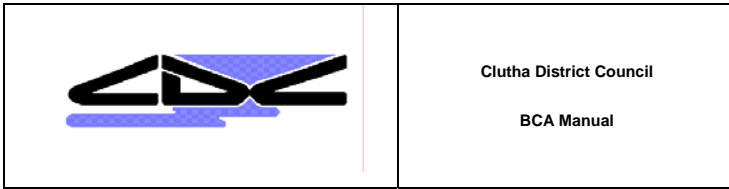
Responsible for ensuring Building Officers have the technical competence to manage the acceptance of building warrant of fitness certificates.

Building Officer / Administration Officer

Responsible for receiving and recording the building warrant of fitness and form 12A, licensed building practitioner/independent qualified person inspection, and maintenance reports and certificates.

BACKGROUND

1. Sections 108–111.
2. Although a building consent authority issues the compliance schedule, the territorial authority is responsible for all subsequent functions associated with its monitoring and the receiving of annual building warrant of fitness certificate (BWOFS) from owners.
3. A building warrant of fitness is a statement supplied by a building owner or an agent on their behalf confirming that the specified systems in the compliance schedule have been inspected, maintained and reported on, in accordance with the compliance schedule for the previous 12 months.
4. The building warrant of fitness must be supplied on the prescribed form along with copies of the licensed building practitioner/independent qualified person form 12A and any recommendations for amending the compliance schedule.
5. The building owner is required to display a copy of the building warrant of fitness in a place in the building to which building users have ready access.
6. It is an offence for a building owner to fail to display a current building warrant of fitness certificate, or to display a misleading building warrant of fitness. Persons committing such offences may be liable to a fine not exceeding \$20,000.
7. In the event of becoming aware that a building warrant of fitness is not correct, or the inspection, maintenance or reporting procedures have not been properly complied with, a territorial authority may issue a notice to fix.
8. The territorial authority is required to retain copies of the inspection forms for the life of the building.
9. Section 111 authorises an agent of a territorial authority to inspect buildings, and specified systems within buildings, for which compliance schedules have been issued. The agent is required to ensure the annual building warrant of fitness is correct, and to ensure **every** report pertaining to the independent qualified person /licensed building practitioner inspection, maintenance and reporting procedures provided in conjunction with the annual building warrant of fitness certificate for each specified system is correct.
10. The territorial authority may charge for this inspection.



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11. The intent of section 111 is to encourage territorial authorities to implement appropriate audit procedures for checking that building owners and independent qualified person s/licensed building practitioners are properly fulfilling the on-site obligations required by the compliance schedule.
12. Section 111 of the Act makes provision to enable territorial authorities to contract agents to undertake this work. This may be more viable than undertaking the work themselves. Should territorial authorities choose to undertake the inspection work using in-house staff, they may need to invest in specialist training for their staff.
13. Inspection staff or agents would be expected to have a sound understanding of **all** performance standards for each specified system, and be competent and suitably trained in mechanisms of compliance schedules, good people skills and proven audit skills.
14. If non-compliance is identified during the audit process, the territorial authority is required to issue the owner or their agent with a notice to fix.

PROCEDURE

1 TERRITORIAL AUTHORITY NOTIFIES BUILDING OWNER AND INITIATES FOLLOW-UP PROCESS IF BUILDING WARRANT OF FITNESS CERTIFICATE IS NOT RECEIVED

- 1.1 The territorial authority notifies the building owner prior to the building warrant of fitness expiring.
- 1.2 If the territorial authority does not receive the building warrant of fitness by the due date, the territorial authority will instigate a follow-up process which may include issuing a notice to fix.

2 CHECK BUILDING WARRANT OF FITNESS DOCUMENTATION

- 2.1 On receipt of the building warrant of fitness certificate the Officer will check the certificate to ensure all details have been properly completed.
- 2.2 The building warrant of fitness details will be checked against the compliance schedule details.
- 2.3 The Officer will then check that the requisite form 12A's have been included with the BWOFF building practitioner/ approved independent qualified person inspection, maintenance and reporting certificates.
- 2.4 If there are details missing, or incorrect details on the building warrant of fitness certificate, or if there are inspection, maintenance and reporting certificates missing, in the first instance the building owner or their agent should be contacted and requested to remedy the matter. If the matter cannot be remedied, the territorial authority is required to issue a notice to fix in accordance with TS-31.

2.4.1 LICENSED BUILDING PRACTITIONER/INDEPENDENT QUALIFIED PERSON RECOMMENDATIONS?


- 2.4.1.1 The Officer will check the building warrant of fitness documentation to determine whether there have been any recommendations provided by a licensed building practitioner/independent qualified person requesting or requiring the compliance schedule to be amended.
- 2.4.1.2 If so, these should be actioned in accordance with TS-27.3.

2.4.2 FILE BUILDING WARRANT OF FITNESS DOCUMENTS

- 2.4.2.1 Once satisfied that all details and documentation are correct, the Officer will record the acceptance of the building warrant of fitness certificate and documentation, and arrange for this information to be filed.

2.4.3 AUDITS

- 2.4.3.1 The territorial authority will initiate audits of a building warrant of fitness as it determines necessary.
- 2.4.3.2 The officer will notify the building owner of their intent to undertake an audit.

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2.4.3.3 The result of the audit is to be documented on the job card.

2.4.3.4 If the building officer considers that any procedure is found incorrect a notice to fix is to be issued.

NOTES