



Guardian Housing Services Ltd

Building Performance, Safety & Compliance Specialists

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Job Ref: 4212

24th July 2020

Todd Emmerson
C/O 3/142 Rosebank Road
Avondale
AUCKLAND

Dear Sir

RE: SAFE AND SANITARY REPORT ADDRESSING THE REMOVAL OF A WALL WITHIN THE DWELLING LOCATED AT 3/142 ROSEBANK ROAD, AVONDALE.

1. INTRODUCTION

- 1.1 This report has been prepared at the request of Todd Emmerson in order to advise of works undertaken without the necessary approvals or permissions.
- 1.2 Guardian Housing Services Ltd have been engaged to inspect the property and provide opinion as reasonably as practically possible as to whether the removal of a wall within the dwelling can be considered as being Safe and Sanitary in terms of Section 121 and 123 of the New Zealand Building Act 2004.

2. INSPECTION

- 2.1 A visual inspection only was undertaken on the 24th July 2020 in showery conditions. This inspection was undertaken by Bill Cartwright who is an employee of Guardian Housing Services Ltd.
- 2.2 Guardian Housing Services Ltd was not briefed to carry out any research of council files relating to this property.
- 2.3 This report is not intended to address compliance with the current building code requirements nor does it address any matters associated with any other Acts or By-Laws that could be impacted by the works being the subject of this report, in particular the Resource Management Act and District Plan requirements. The reader of this report should make their own enquiries relating to any matters outside the scope of this report.

I am suitably experienced to provide my opinions on this matter on behalf of Guardian Housing Services Ltd; my experience and qualifications are as follows.

I have a trade Certificate in Carpentry and many years of practical experience as a builder, a building inspector, and for the last 16 years as a Building Consultant.

My work experience in summary is as follows:

1970 – 1975:	Apprenticeship in carpentry;
1975 – 1984:	Labour only and contract building;
1984 – 1996:	Building inspector for Council;
1996 – 2002:	Team manager building inspections, Auckland City Council;
2002 – 2009:	Company director of Citywide Building Consultants.
2004 to 2009:	Company director of Sure Build Ltd
2009-2011:	Company director of Eden Pacific Building Consultants Ltd
2011 to Present:	Company director Guardian Housing Services Ltd

I am currently a Licensed Building Practitioner under the current scheme and a member of the Building Officials Institute of NZ. My views expressed in this report are my own independent opinions on behalf of Guardian Housing Services Ltd.

3. HISTORY AND SCOPE OF WORKS

- 3.1 The dwelling was initially constructed circa 1970 as was relocated to its current position circa 1989. The building is a single lightweight timber frame structure clad with compressed Fibre cement sheet, timber joinery and a lightweight roof cladding.

- 3.2 A plan on the council file shows that the dwelling initially consisted of two bedrooms. At some point in time a wall that separated the bedroom from the living area was removed and an exposed timber beam has been installed in its place.



- 3.3 We are of the advice that as best as can be established this work was undertaken either at the time of the relocation or shortly thereafter.
- 3.4 There is no visual evidence of any movement or settlement within this area as the result of the wall having been removed. There is a post that has been installed at both ends to transfer the loads to the foundation system of the dwelling.
- 3.5 There are certain requirements as set out in the building code that are required for a building to be considered as habitable space. It is not always possible to ascertain whether or not an existing building constructed prior to the building act meets with all these requirements. An example is a villa or a bungalow dwelling, these buildings do not meet the requirements however they are obviously considered adequate as they are safe and sanitary under the definition of a safe and sanitary building.
- 3.6 The same consideration must be given to buildings such as this and as long as the area remains Safe and Sanitary then the continuation of the use would be in order. Should this situation change for whatever reason then it is the responsibility of the property owner to cease using the area and undertake any up grading works necessary along with any council approvals.

4. CONCLUSION

- 4.1 These works appear to have been constructed in an acceptable manner with no visible signs of weakness or problems, which would have an adverse impact on the structural integrity of the property.
- 4.2 Sufficient ventilation is provided to control internal moisture and I could detect no evidence of any mold or other associated internal moisture problems.
- 4.3 It is now a requirement to install smoke detectors within 3 meters of all sleeping rooms, please insure these are installed, tested regularly and maintained.
- 4.4 A building is deemed to be dangerous, if, in the normal course of events (excluding earthquakes) the building is likely to cause injury or death (whether by collapse or otherwise) to any persons in it, or any persons on other property, or damage to other property. In the event of fire, injury or death to any persons in the building or to person on other property is likely due to fire hazard or the occupancy of the building.

A building is deemed to be insanitary if:-

- 1) ***Is offensive or likely to be injurious to health because (a) of how it is situated or constructed: or (b) it is in a state of disrepair; or***
- 2) ***Has insufficient or defective provisions against moisture penetration as to cause dampness in the building or in any adjoining building; or***
- 3) ***Does not have a supply of potable water that is adequate for its intended use; or***
- 4) ***Does not have sanitary facilities that are adequate for its intended use***

We are of the opinion that the works in question cannot be deemed either “dangerous” or “insanitary” in terms of the above criteria and therefore I would confirm that in my opinion it can be considered safe and sanitary in terms of Section 121 and 123 of The New Zealand Building Act 2004

This opinion is based on a visual inspection of those parts of the dwelling reasonably accessible, no invasive or destructive inspection methods were used in this assessment; therefore no opinion can be given in respect of such concealed work.

We hope this report provides the necessary information you require to proceed with this matter, however, should you require any further assistance please do not hesitate to contact the author directly on 021 500 269 or the office on 849 5511

The following two paragraphs (a and b) have been included at the request of Guardian Housing Services Ltd insurance company. (a) This property report is a visual one only of the building elements which could be seen easily, and does not include any item that is closed in or concealed including flooring, walls, ceiling, framing, plumbing and drainage, heating and ventilation and wiring etc. Therefore we are unable to report that any such part of the structure is free from defect. (b) This property report does not include the structural, electrical, plumbing or gas piping and fitting, home heating state of the premises, as our consultants are not qualified for this but can arrange for these areas to be inspected by those people whose qualifications enable them to do so."

This report and all consulting services provided by Guardian Housing Services Ltd or the Consultants employed by the firm are provided solely for the use for the client who gave the instructions. Guardian Housing Services Ltd does not now and will not hereafter assume any responsibility to any person other than the client for any reason whatsoever including breach on contract, negligence (including negligent mis-statement) or wilful act or default of the Company or others by reason of or arising out of the provision of this report or consultancy services. Any person, other than the client, who uses or relies upon this report or the matters contained in it, does so at the risk of that person.

This report has been completed with the specific purpose stated in this report. No responsibility is accepted to any person including the client in the event that the report is used for any other purpose.

This report relates to the situation at the date of the preparation of the report and is relevant to circumstances which prevail at the time.

Guardian Housing Services Ltd does not, as a matter of policy, contract out of the provisions of The Consumer Guarantees Act 1993. Therefore if there is any conflict between any statement contained in this report and any provision contained in The Consumer Guarantees Act 1993 then the provisions of The Consumer Guarantees Act 1993 shall prevail.

The whole or any part of this report may not be included in any published document or circular or statement except with the prior written approval of Guardian Housing Services Ltd as to the form and context in which it may appear.

Substances such as asbestos, other chemicals, toxic waste or other potentially hazardous materials have not been detected except to the extent that the same are reported upon and this report comments on the presence of such hazardous materials only to the extent that it has been possible to determine their presence by a superficial examination of the premises which cannot reveal hidden substances. If the client is concerned about the presence of asbestos, other chemicals, and toxic wastes or other potentially hazardous materials then a more thorough examination of the premises may be required including permission to remove certain building materials in order to examine what lies underneath. While due care has been taken to note the presence of such asbestos, other chemicals, toxic wastes or other potentially hazardous materials such as mould, mildew and moisture as are visible upon a superficial examination of the premises. This report does not constitute an environmental audit and the same cannot be undertaken without additional work and research being carried out with the consent of the client and with additional cost to the client.

Any freestanding fire appliance or inbuilt fireplace is outside the scope of this report. Should this property contain either of these and you wish the condition to be assessed we recommend an approved installer be contacted.

Signed for and on Behalf of Guardian Housing Services Ltd.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bill Cartwright', written over a horizontal line.

BILL CARTWRIGHT
GUARDIAN HOUSING SERVICES LTD