

## LEAKY BUILDINGS

The Leaky Building saga has hit the headlines again. Below are some excerpts from the Commission of Inquiry into the cause of the problem. Readers will be familiar with all the points made. What will be surprising is that this report is **Canada's** Commission dated 1998, the **same year** New Zealand changed the law to allow untreated timber to be used in our walls.

*“Process and building science issues have led to a disintegration in the quality of construction. The building process has been undertaken in a residential construction industry driven to the lowest common denominator by ruthless, unstructured competition.*

*With respect to building science, public and private sector professionals, including developers, general contractors, builders, architects, engineers, and municipal inspectors, were either unaware of how to employ the appropriate technology, or deliberately failed to create appropriate building designs ensuring that construction was of adequate quality.*

*Only when the entire outer cladding was removed, were the owners aware of the extent of water damage and the deficiencies that caused the damage. Deficiencies included poor quality materials, shoddy construction, incomplete details, improperly sloped balconies, poor joints, lack of proper flashings, etc.*

*The Commission was presented with case after case of ineffective regulation regarding responsibility and accountability at each stage of the construction process. These included:*

- o an inability of municipalities to effectively monitor building quality; to make certain inspectors play a meaningful role in ensuring building standards; or to enforce building codes;*
- o a lack of provincial monitoring to ensure accurate interpretation of the building code, as well as its performance requirements;*
- o a lack of developer, builder, and general contractor responsibility - often facilitated through protective corporate structures;*
- o a lack of training, skills, and qualifications that have led to a deterioration in the quality of worker performance;*
- o an inadequate home warranty program which, in the majority of cases, is faced with a conflict of interest between its service to the homeowner and its obligation to the developer.*

*In addition to economic pressures, climatic conditions, and a systemic failure of the building process, building science also played a role in bringing about this crisis of confidence. The factors related to technology, or building science, include:*

- o A loss of collective memory, and lack of conventional wisdom, among inspectors, developers, and contractors regarding the requirements for effective building, and*
- o ineffective communication and transfer of knowledge among the professionals and business people (who understand the issues), to others involved in the building process.”*

The New Zealand government succumbed to lobbying by environmentalists to accept untreated timber, at a time when the consequences were well-known and the inadequacy of both the regulators and the market were well-documented overseas.

The National led governments' solution has the government accepting just 25% of the responsibility. While this is a vast improvement on Labour's Weathertight Homes Resolution Service, there are a lot of homeowners who are still going to struggle to meet their share. At least this way the litigation costs can stop and funds can go directly into solving the problem to allow people to move on to Healthier living.

We believe there is still another step to be taken by the government, which will substantially reduce the cost of repairs, and we will cover this in another column.