COLLINS & MAY LAW

NEWSLETTER

Volume 9, May 2014

Most people have now heard of the getting in and whether any term "leaky building syndrome" or damage has occurred inte

By Eugene Collins eugene@collinsmay.co.nz DD: 576 1407

Lloyd Collins lloyd@collinsmay.co.nz DD: 576 1404

Amy Haste amy@collinsmay.co.nz DD: 576 1412

Hannah Nimot hannah@collinsmay.co.nz DD: 576 1409

Simone Seddon simone@collinsmay.co.nz DD: 576 1411

Lisa Grant lisa@collinsmay.co.nz DD: 576 1417 Most people have now heard of the term "leaky building syndrome" or "leaky building crisis" as it has periodically appeared in the news and various media. It is surprising how some people can become complacent once something has been in the news several times and then no longer appears as it is no longer newsworthy.

Leaky buildings can fall into this bracket. When buying and owning a home you should always be aware of the possibility. Certain types of homes obviously have much higher risks than others. For example homes constructed with monolithic cladding, finished with textured coating are considered a risk.

If you already own one you need to be vigilant and ensure that you are maintaining it properly and that should any leaks occur that you don't just go and plug a hole with a bit of silicone, tidy it up and hope that does it. Water ingress can occur over a long period of time before any symptoms appear. So by the time a leak appears it could mean you have significant water ingress and decay happening inside the walls of your home for a number of years.

Homeowners should be aware that there is a 10 year limitation rule in relation to making claims. So if you have leaks and you simply plug them with silicone and tidy them up you could be shooting yourself in the foot. You need to get an expert into properly evaluate how the water is

getting in and whether any significant damage has occurred internally. If your house was constructed or any remedial work undertaken more than 10 years ago you will not be able to make a claim. Any water ingress or leaks should be investigated as soon as any appear.

If you are looking to purchase a home, the cost of a pre-purchase building report is a very small price to pay to ensure that you are not purchasing a very expensive problem.

Whilst they are not invasive inspections they can give you a good indication if there are any areas that might require further investigation. If they do require further investigation then you are probably best not to purchase the home rather than ask for a reduction in price unless you can be sure exactly what is wrong and what the cost to fixt it will be. With water ingress problems it is usually only once you open up walls that you can be sure of what damage needs to be fixed.

A newsletter such as this isn't sufficient to cover all the factors that you should be aware of but these two points are probably the two most important things homeowners and/or potential homeowners should be aware of. Beware, be warned and be cautious.

20 MINUTE FREE

WANT to review your Family Trust structure?
THEN call us and take advantage of our 20 Minute Free interview

If you would like any of our previous newsletters or any of the our free booklets on Wills, Family Trusts, Relationship Property of Business Law please email us or visit our website at

www.collinsmay.co.nz