



## Frequently Asked Questions

### 1. What is the Building Code?

The New Zealand Building Code sets the performance standards that all building work must meet. It's divided into clauses (sections) covering each aspect of a building, such as structure, fire and weathertightness. The Building Code does not prescribe how work should be done, but states how completed building work must perform. All new building work in New Zealand must comply with the Building Code, whether or not it requires a building consent.

### 2. What does it mean if work is non-compliant?

Building work that is non-compliant has not met the requirements set out under the Building Code.

### 3. What do you mean by a minor defect?

The compliance of this work may be marginal and a strict application of the Building Code may deem the repair work as being non-compliant.

An example of a minor defect is foundation repairs to eight piles where one or two had a few missing nails or a damp proof course.

### 4. Is the non-compliance identified in the survey serious?

There is no concern for the safety of occupants however all new building work must be Building Code compliant and failure to rectify the issues identified will erode the home's durability over time. Fixing the non-compliant structural repairs identified from the survey is expected to be relatively easy and quick for the properties involved.

### 5. What is jacking and packing?

The effects of an earthquake event may result in a floor, or part of a floor, becoming un-even. In some cases the floor will need to be re-levelled if the resulting floor slopes are excessive. 'Jack and pack' is a method used to re-level a timber framed floor. It involves disconnecting the foundation piles from the timber bearers, jacking the bearers while they are disconnected, inserting packers between the foundation piles and bearers to bring the floor to level and then reconnecting the foundation piles to the bearers. [View the MBIE builder videos to learn more.](#)



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**6. Is 'jack and pack' a reliable repair method?**

'Jack and pack' is a legitimate and reliable repair method, if it is done properly. The method has historically been widely used for re-levelling timber floors; it is not considered technically difficult as long as there is adequate supervision.

**7. What are the consequences of a poor 'jack and pack'?**

The structural integrity of the house would deteriorate over time resulting in doors and windows sticking, and uneven surfaces, such as benchtops. As well, the house would fall out of level again if there were another earthquake equal to or greater in size to the Canterbury earthquakes.

**8. What's a Schedule 1 exemption?**

Some minor building work does not require a building consent – this is known as 'exempt building work'. A list of exempt work is contained in Schedule 1 of the Building Act.

**9. What sort of work falls under a Schedule 1 exemption?**

For a complete list of work that does not require a building consent refer to:  
<http://www.building.govt.nz/bc-no-consent>

However, even when a building consent is not required, all new building work must still comply with the Building Act and Building Code. Jacking and packing is not considered technically difficult as long as there is adequate supervision.

**10. What training has been provided for people doing this type of work?**

Since 2013, MBIE has developed resources and training for builders and labourers doing repair and rebuild work. Towards the end of 2014 and start of 2015, we ran a series of workshops on packing piles. We also released [three YouTube videos on foundation repairs](#), including one video on packing piles safely and properly. This was a proactive extension of MBIE's education programme that supported understanding and application of our technical guidance. MBIE has undertaken to facilitate further training of staff doing repair work to ensure they understand compliance/workmanship requirements for the work they're performing.

**11. How many builders have completed training on foundation repairs?**

The YouTube videos were released in March 2014 and have had 4,545 views between their release and 30 June 2015.

A series of seven workshops on Packing Piles held in November and December 2014, and February 2015 were attended by about 450 tradespeople.



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**12. Who is responsible for ensuring building work is compliant with the Building Code?**

Builders are responsible for building work complying with the Building Code, as are designers when they provide plans and specifications for repair work.

An outline of responsibilities under the Building Act is clearly spelt out in section 14 of the Act.

**13. Is foundation work required to be supervised by a Licensed Building Practitioner?**

Foundation work that is restricted building work is covered by an LBP licence class. This means the work must be done or supervised by tradespeople who have proven they are properly skilled ie Licensed Building Practitioners. 'Jack and pack' floor re-leveling is not restricted building work because it's not considered technically difficult as long as there is adequate supervision. Go to [www.dbh.govt.nz/builditright](http://www.dbh.govt.nz/builditright) for more about Restricted Building Work and Licensed Building Practitioners.

**14. What action will MBIE take against the LBPs who supervised non-compliant repairs?**

The builders will be further investigated by the Building Practitioners Board (LBP). Knowingly doing or supervising non-compliant building work is an offence. The LBP scheme is not a self-certification scheme, but LBPs are responsible for the work they do or supervise.

MBIE is also investigating a further two people who appear to have falsely claimed LBP status and did non-compliant work.

**15. How many LBPs are there in Christchurch?**

4,340 people (LBPs) are licensed in 5,101 licenses.

**16. How many complaints have been made against LBPs in the Canterbury region?**

In FY 2014/2015, there were a total of 14 complaints received against LBPs in Canterbury out of a total of 113 for all regions. The capability to capture complaints data in the system was introduced in FY 2013/2014. So, for that year most but not all complaints were entered in the system. Of the total 74 complaints received, 70 were entered in the system. And of the 70 LBP complaints, 9 were against LBPs in Canterbury.

**17. What disciplinary measures can be taken against LBPs found to be negligent?**

The Building Practitioners Board can discipline an LBP by:

- ordering them to do training
- formally reprimanding them
- fining them up to \$10,000
- restricting the kind of work they can do
- suspending their licence for up to 12 months
- cancelling their licence.



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Any disciplinary action taken against an LBP will be recorded on the public register for LBPs for three years. Dismissed complaints are not recorded on the public register.

Further information about complaints can be found here:

<http://www.business.govt.nz/lbp/im-an-lbp/your-license/had-a-complaint>

**18. What is MBIE doing to lift LBP skills?**

MBIE reviewed the LBPs' skills maintenance framework last year and earlier this year announced a range of changes intended to improve its robustness and provide more assurance to consumers about LBPs and their professional competence.

The new mix-model scheme will consist of both elective and compulsory activities, including on-the-job learning activities.

A comprehensive package of guidance will be provided by MBIE to support understanding of the new requirements.

All LBPs will be required to transition to the new scheme from November 2015.

**19. Why do the survey findings relate to only 90 of the 101 homes initially included?**

The Earthquake Commission (EQC), two private insurers and Housing New Zealand (HNZ) were approached and agreed to provide a list of relevant addresses for homes that would meet three selection criteria:

- The repair work was complete.
- The repair work was exempt from a building consent.
- The repair work incorporated structural work, such as replacement or repair of foundation elements (e.g. pile to bearer connections).

MBIE then randomly selected addresses from the list and invited homeowners to participate in the survey. All those who wanted to participate were included. However on inspection, it was determined structural repair work had not been done on 11 of the homes. In eight of these cases, there was cosmetic work that appeared to be correct. Of the remaining three, two involved EQC repairs, where it appeared as if structural repairs were required, but weren't completed. The third case was an opt-out.

**20. Did MBIE discuss the findings with EQC and the other insurers before the release of this report?**

Yes. These groups were given an opportunity to comment on the draft findings about individual repairs. It was also important that the organisations were in a position to provide homeowners with a solution to the issues identified, when the MBIE survey results were released.



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**21. Where can I find out more about mechanisms to protect consumers?**

New consumer protection measures came into force on 1 January 2015. The changes were introduced to encourage a professional, no-surprises relationship between the consumer and the contractor. They will also help homeowners to make informed decisions about building work.

For further information about the new consumer protection measures, go to:

[www.doyourhomework.co.nz](http://www.doyourhomework.co.nz)