



Inspection of buildings

Guidelines for building complaint reports

Introduction

When dealing with building disputes relating to a regulated building service, Building and Energy may require the parties to a complaint to provide further details about the complaint. These further details may be presented in the form of a report from a building expert, expressing his/her opinion regarding the nature of the complaint.

In the past when receiving consultant inspection reports that relate to complaints, Building and Energy has found them generally to be in paragraph form with little detail regarding the cause of the fault. In some instances reports just contain photographs with arrows pointing to a fault or defect. When Complainants who provide these types of reports are asked to explain and show the fault, they are generally not able to do so and the report does not assist the parties as it should. It is important to all parties that these reports address all the elements of the complaint in an unbiased manner so as to enable the Building and Energy investigator to make an assessment on the facts and how the building codes and standards apply to those facts

This guide is intended to provide information and direction to private building inspectors when preparing reports that are likely to be used in a complaint process, so that the reports are presented in a consistent format and enable a speedy resolution of their client's complaints.

Site inspections

The Inspector shall conduct an inspection in accordance with AS 4349 *Inspection of buildings*. This Australian Standard sets out the minimum requirements for inspection of and preparation of inspection reports on buildings and associated works by a suitably qualified inspector in order to provide advice regarding particular technical aspects of the property.

During the inspection where a defect or fault is observed, the Inspector is to not only take notes on its location and cause but consider how the defect or fault can be remedied.

Where photographs are taken and intended to be used in the report, they should clearly show the item of complaint, however wider shots are required to confirm that the close shot relates to the building which is the subject of the complaint.

Inspection report

The report shall contain sufficient information to enable a similarly suitably qualified inspector¹, who was not involved in the inspection, to check the report and independently verify the conclusions reached by the original inspector.

The report also needs to provide the respondent to the complaint with clear details regarding the fault/defect, so that a detailed response can be prepared when requested by Building and Energy.

Report format

1. Each complaint item is to be given a separate number. Even when a complaint item relates to the same building element they are to be listed as separate items. (E.g. *Bedroom number 2 window lock does not work and the flyscreen is missing*. These faults are to be listed and detailed as two separate complaint items.)
2. Each complaint requires a description of the state of the item as viewed at the time of the inspection.
3. List items room by room, and areas – external, internal, ground floor, level 1 etc.
4. Hearsay information needs to be clearly stated in the report and details provided as to who provided the information. E.g. “... the complainant advised...”
5. The report is to contain a statement from the inspector regarding the compliance of the item. If the Inspector is of the opinion that the item is assessed as faulty and unsatisfactory, then he/she shall describe what code, standard or manufacturer’s recommendation with which the complaint item is non-compliant. Where the complaint item is not covered under a code, standard or manufacturer’s recommendation, the inspector can express an opinion based on his/her personal experience regarding the subject matter.
6. The Inspector is to provide a recommendation for repair so that the complaint item will meet the minimum requirements of the applicable code, standard or manufacturer’s recommendation.
7. The comments made by the Inspector in regards to each item are to be presented in the following order:
 - a. Provide a description of the fault/defect.
 - b. Describe specifically its location.
 - c. Where it is evident, provide an opinion as to why the fault/defect has occurred.
 - d. Provide details as to what code, standard, permit, plan, specification, manufacturer’s recommendation or requirement with which the fault/defect is non-compliant with.
 - e. Provide a recommendation to remedy the fault/defect.

¹ In Building and Energy’s opinion the term ‘suitably qualified inspector’ means a person who has the qualifications, expertise and experience in the building service being reported upon

Where an inspector is unable to provide a recommendation for remedy due to lack of evidence, they should consider a recommendation for further investigation and specify the area of expertise required.

Photographs

- Where photographs are included in a report they need to be accompanied with appropriate detail clarifying their nature, location and date taken, with areas of non-compliance highlighted.
- A report that contains only photographs with little description of the complaint item will likely be considered unsuitable for assessment.

Summary

Building and Energy has noted that where items of complaint are clearly identified for both parties and a clear reason as to why the item of complaint is either faulty or unsatisfactory or acceptable, the parties are more likely to accept an Inspector's recommendation. While a short, concise report is appropriate, it must address each item of complaint and provide sufficient detail to facilitate a fair and reasonable assessment.

Report example

Item 1

Cavity flashings not installed above windows.

Inspector's observations and comments

(Description of fault/defect)

The Complainant referred the Inspector to three aluminium framed sliding windows installed on the southern side of the dwelling at ground floor level. The windows measured 1330mm wide x 1029mm high (opening size) and they have been installed centrally within a masonry cavity wall, approximately 770mm above the internal finished floor level.

The dwelling is of double storey construction and there are no eaves or the like to provide protection to the openings on the ground floor. The upper floor concrete slab was found to not project through to the external leaf or across the cavity.

(Hearsay)

The Complainant Mr Smith advised that water appears on the internal surfaces of the window and sill after it rains, which in his opinion is caused by water travelling through the small gap between the external masonry and the top of the aluminium window frame.

(Compliance with applicable standards)

Part 3.3.4.7 *Location of flashings* of the Building Code of Australia (BCA), Volume 2, 2010 (In force at the time the Building Licence was issued) requires that;

A flashing must be provided—

- (a) where the cavity of a cavity masonry or masonry veneer wall is interrupted by a structural element (other than a wall tie), opening or the like; and
- (b) within the cavity where a roof abuts a cavity wall and an external masonry leaf or veneer becomes a wholly or partly internal wall; and
- (c) from an external masonry leaf or veneer onto an abutting roof; and
- (d) at the base of a cavity where—
 - (i) there is no other means of dispersing water from within the cavity; and
 - (ii) the external masonry has not been waterproofed in accordance with 3.3.4.12(a); and
- (e) from a masonry chimney onto the abutting roof.

The performance requirements of the BCA are satisfied for weatherproofing of masonry if it is carried out in accordance with the appropriate provisions of AS 3700. Part 4.7.3 *Damp proof courses and flashings* requires that;

DPCs or flashings shall be incorporated into masonry construction where it is necessary—

- (a) to provide a barrier to the upward or downward passage of moisture through masonry;
- (b) to prevent moisture from entering into the interior of a building from the exterior;
- (c) to prevent moisture passing across a cavity to the inner leaf; or
- (d) to shed moisture through masonry to the outer face.

In the Inspector's opinion both the Acceptable Construction Manuals referenced in Part 3.3.4 *Weatherproofing of masonry* in the BCA require flashings to be installed where windows bridge a cavity wall to provide resistance to moisture from the outside.

(Confirmation of non-compliance)

The Complainants provided photographic evidence to the Inspector and Respondent which showed the absence of a flashing over a window relating to the site. They had also removed a brick from the external face of the cavity wall above the central window for the Inspector and Respondent to view first hand that no flashing had been installed.

The absence of flashings over the three ground floor windows is assessed as being contrary to the requirements of the BCA and assessed as faulty and unsatisfactory.

Recommended action/remedy

Respondent is to supply and install flashings above and below the three ground floor windows on the southern side of the dwelling in accordance with the BCA Part 3.3.4.9 *Sill and head flashing* or the Acceptable Construction Manual AS 3700-2001, Part 11.4.16 *Damp-proof courses and flashing*.

Photographs, where provided, are to be inserted after each complaint item.