

# Licensed Building Practitioner Notifications and Records of Work

## Notification

Auckland Council is currently experiencing high volumes of consents involving restricted building work. The restricted building work regime requires the following for notifications:

*Building Act 2004*

*“Before restricted building work commences under a building consent, the owner must give the building consent authority written notice of the name of every licensed building practitioner who-*

- a) is engaged to carry out, or supervise, the restricted building work under the building consent; and*
- b) was not stated in the application for the building consent under section 45(1)(e)*

The Act requires that **prior to construction commencing** the names of **every** Licensed Building Practitioner (LBP) involved in the project be notified; however, this does not always occur. This can cause a number of issues for both homeowners and contractors during construction and at the final stages of certification.

In the majority of cases, Auckland Council only receives one or two notifications of LBPs for the construction phase of a building consent. This can cause significant delays and issues with the building consent inspections and certification process such as:

- No LBP has been notified, therefore no inspections can be booked
  - This delays the project and can affect the availability of contractors
- The appropriate LBP for the inspection type has not been notified, therefore no inspections can be booked.
- Customers who have notified one LBP are sometimes not aware that a number of different LBPs may be required for the same project due to the different license classes and types of work involved.
- Customers sometimes may not know the name or details of their LBP as they have been subcontracted by their actual builder
- The LBP that is notified is different to the LBP present at an inspection.

All of the above points can lead to some incorrect LBP details being recorded against inspections for which they have had no involvement. This leads to issues when a record of work is provided, as they could be challenged when they don't include all the work completed for their license class.

## **LBPs can be notified via the following mechanisms**

1. The application form at time of lodgement of the building consent (this can be a separate attachment)
2. Using the on-line form called Notification of LBP, or
3. Using AC2135 Notification of LBP

Link:

<http://www.aucklandcouncil.govt.nz/en/ratesbuildingproperty/consents/buildingconsents/pages/lbpform.aspx>

### Top tips for LBPs:

- Always make sure that your details are notified before doing any work on a building consent that involves RBW
- Ensure the notification advises the nature of the building work that you will be performing
- Ensure that the name of **every** LBP must be recorded against the building consent, not only the leading hand. (C2-01170) LBP Complaint decision can be found: <http://www.business.govt.nz/lbp>
- A registered LBP cannot supervise another LBP of the same license class, for example it's not acceptable to say that your boss will fill in the paperwork
- Ensure that every project you work on that involves RBW, has a Record of Work issued
- Ensure that you record everything that you have done, including taking photo evidence, providing detailed Record of Work will protect you in the future.
- If you do leave a project before completion, for example: due to a dispute ensure that you provide a RoW to both the owner and the Council as this is a legal requirement.

### Change of LBP:

Most customers, who change LBPs during the construction phase, fail to advise Auckland Council of the change.

This can have large impacts to both parties in the following ways:

- Customers are unable to book inspections
- LBPs are recorded against more work than they wished to cover
- Complaints could be laid against LBPs for work that they have not carried out or supervised
- The Record of Work provided does not match the people that were notified to Auckland Council, so there is not an accurate reflection of what / who is working on the project

