



## Guidelines for claimant submissions

The assessor's opinion is that your WHRS claim is ineligible under the Weathertight Homes Resolution Services Act 2006, so your report will now be submitted to the Chief Executive of the Department of Building and Housing. You have the option of making a submission to accompany this report to the Chief Executive. They will make the final decision on your WHRS claim's eligibility.

Your claims advisor will discuss this with you in more detail, but here are some important things to keep in mind when making a submission.

- 1 The Chief Executive can only take into consideration those things that relate directly to the eligibility criteria in the Weathertight Homes Resolution Services Act 2006. The criteria for eligibility under the Act are that the claimant owns the dwellinghouse to which the claim relates and:
  - it was built (or alterations giving rise to the claim were made to it) before 1 January 2012 and within the period of 10 years immediately before the day on which the claim is brought
  - water has penetrated it because of some aspect of its design, construction or alteration, or of materials used in its construction or alteration
  - the penetration of water has caused damage to it.

A 'dwellinghouse' under the WHRS Act:

- a) means a building, or an apartment, flat, or unit within a building, that is intended to have as its principal use occupation as a private residence; and
- b) in the case of a dwellinghouse that is a building, includes a gate, garage, shed or other structure that is an integral part of the building; and
- c) in the case of a dwellinghouse that is an apartment, flat or unit within a building, includes a door, gate, garage, shed, or other structure that-

- i is an integral part of the building; and
  - ii is intended for the exclusive use of an owner of occupier of the dwellinghouse; but
  - d) does not include a hospital, hostel, hotel, motel, rest home or other institution.
- 2 Your submission should be based on facts and provide any evidence that the Chief Executive may take into account when evaluating the assessor's report. Examples of useful information might include:
    - photos of damage relating to water ingress.
    - dated documents relating to the time your house was built, altered or first occupied.