



# Repairs and the resolution process

Claimants who have made a claim under the Weathertight Homes Resolution Services Act 2006 (the Act) can initiate repairs to their house at any stage of the process.

Following are some things to consider if you plan to undertake repair work at different stages of the claims process.

## REPAIRS DONE BEFORE CLAIMS ELIGIBILITY AND ASSESSMENT

If you have completed repairs before a Department of Building and Housing (the Department) assessor has assessed your home, you are only entitled to an eligibility assessor's report. This report provides only the assessor's opinion on your claim's eligibility to use the resolution process (because the assessor has no damage to investigate). A full assessor's report includes details of damage and repair costs.

## REPAIRS DONE AFTER SETTLEMENT OF YOUR CLAIM

Waiting until a settlement has been made to undertake repairs can increase the repair costs and the amount of damage to the house. Where possible, it is best to undertake repairs as soon as possible to prevent the damage worsening after your eligibility for the resolution process has been confirmed. You then have an actual repair cost, or a very good idea of the cost, to claim as part of the resolution of your claim.

## REPAIRS DONE BEFORE SETTLEMENT OF YOUR WHRS CLAIM

Remember that if you incur repair costs and your claim is subsequently decided ineligible for the resolution process, those costs will be your responsibility. You will have to seek other means of recovering the costs from those you believe to be responsible for the damage to your house.

Here are the main things to think about if you plan to undertake repairs before your claim is resolved. You will need to:

- pay for the repairs before any claims settlement is received
- keep all receipts for repair work
- take photos of the affected areas before, during and after repairs
- retain any other evidence of water entry, the damage and repair costs
- ensure investigation of the leaking problem, its cause, and the design and supervision of repairs are done properly and professionally, so that the problem is appropriately recorded and solved permanently (parties to your claim may argue that aspects of the work did not need to be done. You should have a 'scope of works' setting out exactly what has to be done to repair the house and how the work will be done and supervised.)
- be able to identify any upgrading or 'betterment' of your house as part of the repairs, as the cost of this will need to be separated from the claim
- invite parties involved in building your house to inspect the damage while you are getting it repaired, as this can reduce matters of contention later on in the resolution process (your claims advisor can provide you with some information about locating these parties).

It is recommended that you seek your own legal advice before you start any repairs.

You should also discuss your repair plans with your claims advisor, because the damage you are having repaired is the basis of your claim.

Information on how to ensure the repair work is carried out properly and professionally is available in the information sheet Maintenance and repairs. It is important that you are not disadvantaged during the mediation or adjudication process.

Even if you cannot, for financial or other reasons, or do not want to undertake full repairs yet, it is important to limit further damage. For example, you could do temporary repairs, such as using sealants where you know water is coming in. If you do not try to limit damage that you are aware of, you may be responsible for the costs of some of that damage.

## **FURTHER INFORMATION**

Please contact your claims advisor on 0800 324 477 if you have any questions.

The Department also has information sheets on the following topics to help you through the claims process.

- Maintenance and repairs
- Bringing a claim under the Act – information for owners of stand-alone houses and information for owners in multi-unit complexes
- Assessing your house
- Mediation

These are available by phone request or from our website at [www.dbh.govt.nz](http://www.dbh.govt.nz)

For practical, consumer-focused information on buying, building, renovating and maintaining homes, visit [www.consumerbuild.org.nz](http://www.consumerbuild.org.nz)