

BUILDING WARRANT OF FITNESS (BWOFF) – MISSED INSPECTIONS DUE SOLELY TO COVID-19 RESTRICTIONS

Restrictions put in place under COVID-19 has prevented some building owners and owner's agents from carrying out inspection, maintenance and reporting (IMR) procedures on specified systems according to the buildings compliance schedule.

The Building Act 2004 (the Act) has no provision or exemptions for missed inspections and requires completion of all IMR procedures in the building's compliance schedule for the previous 12 months, in order for a BWOFF to be issued.

If an inspection of a specified system has been missed, due solely to the COVID-19 lockdown, the Dunedin City Council (DCC) will allow your independently qualified person (IQP) to issue a letter in lieu of a Form 12A. The letter must include the following:

- The number of inspections carried out in the last 12 months
- The missed inspections were not carried out due to the COVID-19 lockdown
- The status of the specified system.

Additionally, on request, we will provide a BWOFF status statement which can be given to your insurance company, tenants or displayed somewhere within your building. The statement will be issued only if a letter in lieu has been issued by an IQP (and submitted with your annual BWOFF documentation) and any missed inspections for any specified system/s were due solely to the COVID-19 lockdown.

The statement will include the following:

- Specified systems listed on your compliance schedule
- The annual inspection documentation for all specified systems has been submitted to the DCC
- The specified systems listed in your compliance schedule have been inspected by an appropriately qualified person and have been confirmed to be functioning as required
- The reason for not being able to have a Form 12 issued was due to the COVID-19 lockdown only and therefore not been able to meet the legislative requirements of the Act
- Due to the above, the DCC has no reason to have any concerns at the time of issuing this statement, that the specified systems will not perform (as intended) if or when required
- The annual BWOFF renewal documentation submitted to the DCC was issued by an appropriately qualified person, and the DCC has not carried out a site visit or any specified system inspections in relation to the issuing of this statement.

Note the statement issued by the DCC does not remove any responsibility for you as building owner to ensure the ongoing IMR procedures listed for each specified system continue to be carried out at the correct frequency as required by the compliance schedule.

The DCC will not be issuing enforcement action in situations where a letter in lieu has been submitted due solely to the COVID-19 lockdown.

We are happy to discuss any specific issues you may have.

Similar to the above, MBIE-issued guidance on this matter can be followed. For further information go to:

<https://www.building.govt.nz/covid-19/inspection-and-maintenance-of-specified-systems/#jumpto-managing-building-warrants-of-fitness-0028bwof-0029-responsibilities>