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# Insulation and missing consents

Often problems can be solved with a quick conversation. In a recent case, an exemption for a building consent could have been obtained and a property sale advanced, if only the building consent authority had been asked.

**A HOMEOWNER** called the BRANZ helpline recently about a property they were getting ready for sale. Painters had power washed the house in preparation for painting the exterior, but some of the 100-year-old weatherboards hadn't fared well due to large cracks and rotten boards on the south side and around a window.

## **Repairs presented opportunity to add insulation**

A local builder was engaged to replace the damaged weatherboards. While the wall was open, the opportunity was taken to install insulation and put in new building wrap. The painters finished their job, and the house was ready for sale.

However, house sale documents include a clause stating that 'all work done on the house had a building consent if one was required'. The retrofit of the insulation should have been consented, and there was now a hold-up in the sale process.

## **Consent should have been obtained**

Under the Building Act Schedule 1 Part 1:13, a building consent is required to retrofit insulation into the external walls of an existing house.

When interior linings are removed to install insulation, there may be no building paper under the exterior cladding. A pocket of building wrap



is formed between the studs with a 25 mm gap between the wrap and the cladding (see BRANZ Building Basics *Insulation*). The interior linings can then be replaced. This work is important, as it reduces the risk of liquid water reaching the insulation if there is an external water leak. It also provides some capacity for ventilative drying.

When installing insulation is part of the cladding replacement, building wrap is installed on the outside of the framing ensuring that there is no direct contact between the insulation and cladding. This fulfils the intent of the requirement for a building consent.

## **BCAs can give an exemption**

In this case, the owner or builder should have spoken to the building consent authority (BCA) before starting work. The weatherboards were being replaced under Building Act Schedule 1 *Building*

*work for which building consent not required*. The insulation installation is not covered by this, but there is provision for an exemption under Schedule 1 exemption 2.

The building consent authority has the discretion to exempt the need for a building consent. This can be easy in some situations – all you need to do is talk to them, get the exemption in writing and it will appear on the building file for future reference.

## **What to do after work is done**

To return to the original issue, what should the home seller do now? First, the disclosure document for the sale of the property must be accurate and correct. The area that was repaired should be drawn and the area where the insulation was installed marked up. This can be attached to the disclosure document, and the land agent can move forward with the sale process.

The owner can also take the sketches to the BCA and apply for an exemption from needing a building consent. The sketch will then be attached to the building file.

The message is to communicate with the BCA, preferably early in the process. They are not the enemy. Remember, we are all on the same team with the common goal of building better houses that will last the distance. 