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## **Oireachtas Joint Committee on Housing, Planning, Community & Local Government**

Society of Chartered Surveyors Ireland Representatives

**Alan Baldwin, Chartered Building Surveyor and current chairperson on the SCSi Building Surveying Professional Group**

**Kevin Hollingsworth, Chartered Building Surveyor, Past Chair of the SCSi Building Surveying Professional Group Committee**

### **Opening Statement – Alan Baldwin**

The Society of Chartered Surveyors Ireland (SCSi) is the largest professional body representing a membership of over 5000 chartered surveyors in Ireland. SCSi is the home of 12 professional disciplines that straddle property, land and the construction sectors. One of SCSi's main priorities is to advance and maintain standards within our built environment in the public interest. SCSi is closely associated with the Royal Institution of Chartered Surveyors (RICS), which is the Global organisation representing over 100,000 chartered surveyors worldwide.

Building Surveying is a discipline that offers a variety of services across the entire built environment. The knowledge base and competence of a Chartered Building Surveyor is broad but based on a solid technical understanding of how buildings work both technically and functionally. Their role therefore touches on all aspects of the construction and property industries, allowing them to approach their jobs from a holistic angle.

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Some of their areas of expertise include Design, Building pathology advice, ~~Pre purchase~~ advice and Building Surveys, Dilapidations, Property Management, Contract administration, Project management and Statutory Compliance.

In terms of Statutory compliance, Building Surveyors are one of three disciplines designated under the new Building Control (Amendment) Regulations (BCAR) to be Design and Assigned Certifiers. Assigned Certifiers are responsible for coordinating the inspection and certification of building projects and they provide the final certificate of completion when building works are finished and ready for occupation.

During the implementation of BCAR, SCSi welcomed its introduction and actively participated throughout the Departments Stakeholder consultation process. The SCSi, through the Construction Industry Council, work closely with the Department of Housing, Planning, Communities and Local Government to develop the documentation assisting certification of BCAR in relation to Ancillary Certificates. SCSi is very supportive of the new Building Control regime and acknowledges that it is a significant improvement from what was in place previously.

As a body, we believe that consideration should be given to the following matters ;

- There should be no-opt out provision for one-off houses and the Government should ensure that all builders are subject to the same standards set down in BCAR.
- The assigned certifier should be independent and preferably not a direct employee of the developer/builder.

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- Additional resourcing of independent oversight by Local Authority inspection staff to support a culture of transparency traceability and accountability and to assist in deterring cases of non-compliance with appropriate standards of buildings.
- We also contend that a statutory system should be put in place to ensure that only those builders and specialist contractors who are competent in their specific areas of activity are regulated to offer their services and appropriate sanctions are in place to protect the public from such legacies experienced in recent times.

We welcome recent developments in home insurance policies covering latent defects insurance. The policy typically is a first party insurance cover where the policy holder does not have to go through the builder in the event of a claim and the policy attaches to the dwelling and transfers to subsequent purchasers during the 10 year cover period. The policy must cover defective workmanship, design and materials and include, structural failures, fire safety, mechanical equipment and drainage etc. Such cover should provide for a sensible level of cover and not be constrained by low thresholds where the owner is required to pick up the cost of artificially low levels where excesses apply.

Recent regrettable high profile failures, particularly in multi-residential complexes was in evidence with the former regulatory system. With that in mind, SCSi wrote to the Minister for Housing, Planning, Communities and Local Government in March of this year highlighting concerns and put forward a set of recommendations to address these issues. You should have a copy of our submission which was made available for circulation to you all. In summary, the SCSi suggests the development of a methodology to appropriately assess high risk legacy



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buildings in consultation with industry and government to be carried out in a proportional manner.

Many developments may not have any recourse available to them to rectify the defects or do not have the funds available to solve the issues. We recommend that consideration be given to the financial impact on schemes where serious deficiencies are identified and investigate possible solutions to fund such repairs.

### Concluding Remarks

Much of what we will be discussing today is likely to focus on our building control oversight and legacy issues coming to the fore in terms of building defects. As Ireland is now in the midst of a housing crises, we need to plan for the future so that we learn from mistakes of the past. Our construction industry is only now showing signs of gearing up to cater for demand for house purchasing which was blighted with problems since the downturn. Our organisation has been very active in response to our national housing crises in highlighting the barriers to construction and housing supply. In May 2016, SCSi published a comprehensive report on the costs of delivering a 3 bed semi to the market in Dublin and we will shortly be publishing figures in relation to the delivery of apartments to the market which will identify the costs of construction and the additional costs associated with regulations, taxes, levies, finance and land. All of these are part of the overall story in providing value for money and cost effective housing solutions for those requiring accommodation.

As a professional body and professional working at the coal face in the industry, we are here to share our experiences and thoughts regarding potential solutions, but it is up to policy makers to implement regulation changes that will work for our industry. With this in mind, we remind you of SCSi's recommendations to tackle the legacy issues pertaining to multi-unit complexes that have come to light through the media, which are;

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## Recommendations from our submission

### Inspections

- Establish a mechanism whereby a study of high risk multi-unit residential buildings built in the recent past are considered in relation to serious immediate building defects impacting on safety health and well-being of its occupants

### Emergency Fund

- Serious consideration should be given to setting up an emergency fund to deal with the most urgent of issues such as:
  - Notification of fire to occupants
  - The risk of fire spread from apartment to apartment
  - The risk of fire spread from common area to apartment

### Mitigation of future defects in this area

- Establish the CIRI register of competent builders, specialist contractors and individual crafts and construction entities on a statutory footing to protect consumers in the future against recurring defects of this kind. CIRI registration is conditional on compliance with all statutory regulations and appropriate competence in the designated category of service provided.

### Long Term Loan facility

SCSI proposes that government consider setting up a loan facility over a relatively long term for building owners in relation to serious building defects that would be outside the scope of any emergency scheme and where there is a current funding shortfall.

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We would request that government review these proposals and consider convening a multi-stakeholder working group, involving relevant industry players and governmental agencies, representatives of Owners' Management Companies and licensed Managing Agents.

**Alan Baldwin MSCSI MRICS**