

# Weathertight Homes Tribunal

## Glossary

Please note that the Weathertight Homes Resolution Services Act 2006 is referred to as “the Act” throughout this glossary. A list of common abbreviations can also be found on the final page.

Term	Definition
Acceptable solution:	A prescription design solution approved by the <b>Building Industry Authority</b> as a way of complying with the <b>Building Code</b> . Acceptable solutions are published in the <b>Compliance documents</b> and often quote familiar documents such as the New Zealand Standards. Designers and builders are not obliged to use acceptable solutions, and may develop their own <b>alternative solution</b> .
Adjudicator:	Another term for a member of the Tribunal. A suitably qualified independent person who is appointed under the provisions of the Act to determine a <b>claim</b> that has been referred to <b>adjudication</b> .
Adjudication:	A <b>claim</b> resolution process offered under the Act that also incorporates <b>mediation</b> .
Alternative solution:	A design solution that differs totally or partially from the solutions given in the <b>compliance documents</b> , yet complies with the <b>Building Code</b> .
Applicant:	A person or legal entity that files an application. A respondent can be an applicant in relation to a procedural application or an application for strike-out, etc.
Application:	A <b>claim</b> form completed in anticipation of an assessment of a <b>dwelling-house</b> where the applicant has sufficient suspicion that <b>weathertightness</b> issues may exist. <ul style="list-style-type: none"> <li>• A claim failed by a homeowner with MBIE for an <b>Assessor’s Report</b> under s32.</li> <li>• An application for <b>adjudication</b> filed with the Tribunal under section 62.</li> <li>• A preliminary or procedural joinder application such as an application for joinder or removal for further particulars.</li> </ul>
Application for joinder:	Application by a party made to the adjudicator to have another party joined to the <b>adjudication</b> of a particular <b>claim</b> based on certain criteria.
Approved documents	Documents published by the DBH. They comprise <b>acceptable solutions</b> and <b>verification methods</b> that provide methods of compliance with the <b>Building Code</b> . Though optional, compliance documents are commonly followed in domestic building projects because they provide a straightforward ‘recipe’ for building.

	These are now known as <b>Compliance documents</b> .
Assessor:	An assessor appointed under s31 of the Act. Assessors are contracted to MBIE and have a background in building, inspection or quantity surveying. A suitably qualified independent person who carries out testing on <b>dwelling-houses</b> to detect and report on <b>weathertightness</b> issues.
Assessor's report:	A report prepared by an <b>Assessor</b> from which a <b>dwelling-house</b> is analysed to be either eligible or ineligible for a <b>claim</b> . It can either be a <b>Full Assessor's Report</b> (s42) or an Eligibility Assessor's Report (s41).
Architect:	A person qualified and trained to design, document, coordinate and administer all aspects of building design and construction, and who is registered under the Architects Act 1963.
Architrave:	A wooden (usually) board fixed as a frame around an opening in a wall, and covering the joint between the wall and the lining in the opening.
Balustrade:	A panel beneath the handrail of a stair or veranda, made up of boards or shaped pieces of wood (balusters), or cast iron; most often as a decorative element.
Beam:	Horizontal supporting member.
Bearer:	Horizontal sub-floor framing member supporting joists, sitting directly on the foundations.
Blocklaying/Bricklaying:	(a) Efflorescence: White salt-like substance on the outside faces of concrete or masonry units. It should disappear in a season. Persistent efflorescence means that the wall is permanently damp. (b) Perpend: A vertical mortar joint.
Boxed corner:	Boards fixed over weatherboards at outside corners of a house to exclude water.
Building Act 1991:	An Act that was passed and commenced on 15 February 1992 to consolidate and reform the law relating to building and to provide for better regulation and control of building, now replaced by the <b>Building Act 2004</b> .
Building Act 2004:	An Act that aims to improve control of, and encourage better practices in, building design and construction, so that buildings are designed and built right first time. This will give greater assurance to building owners and users, particularly homeowners, that their building meets standards set out on the <b>Building Code</b> .
Building Certificate:	Formal confirmation by a building certifier that plans and specifications or specific aspects of a building comply with the <b>Building Code</b> . Local councils are obliged to accept such a certificate.
Building Certifier:	Under the <b>Building Act 1991</b> , this is usually a private person or organisation approved and registered by the DBH. Their main function is to check plans and specifications and building work during construction.

Building Code:	National mandatory standards set for building work, forming part of the Building Regulations 1992. In New Zealand, the <b>Building Code</b> specifies the performance required of a building rather than the particular materials, methods, etc. to be used in constructions. As such it is a code that is performance-based.
Building Consent:	Consent issued by a Building Consent Authority for building work to being in accordance with the approved plans and specifications.
Building envelope:	Entire exterior surface of the building, including foundations, walls, doors, and windows, which encloses or envelopes the space within.
Building Industry Authority (BIA):	An independent Crown entity established in 1992 to manage New Zealand's building legislation. Now disestablished, its functions were incorporated into those of the DBH.
Building Code Clauses:	<ul style="list-style-type: none"> <li>• B1 Structure: Details the minimum structural requirements of building work.</li> <li>• B2 Durability: Details required durability requirements of building elements dependant on factors such as their location and accessibility within the building.</li> <li>• E2 External Moisture: Details the minimum requirements of buildings to resist the ingress of moisture from the exterior of the building envelope.</li> <li>• F4 Safety from Falling: Details the minimum requirements to prevent people from platforms or a change in level that exceeds 1.0m in height.</li> </ul>
Body Corporate:	A group of unit owners that form the governing body within a building complex under the Unit Titles Act 1972. They are elected by the owners to manage the building and common areas.
Borer:	Wood-boring insect at the larval phase which tunnels into untreated timber, leaving behind wormholes when they emerge as adults.
Body Corporate Rules:	Rules governing the operation of <b>Body Corporates</b> under the Unit Titles Act 1972.
Casement:	A hinged window – usually hinged at the side, but sometimes at the top or the bottom.
Cantilever:	A projecting feature, or structural member, that is supported at one end only. For example, a cantilever balcony.
Cavity:	The space between the outer wall and the internal structure.
Cavity wall:	A term used to describe a wall with a drained cavity.
CCA (Copper Chrome Arsenate):	A chemical used in treating timber to give protection from decay.
Certificate of Title:	A document attesting to the rights of ownership to a piece of land. It describes the land involved, the area, the legal description, the type of ownership, and lists any mortgages, charges, leases and easements or other encumbrances over the land.
Cladding:	The exterior weather-resistant surface of a framed building.

Claim:	(a) An application or claim with DBH filed under s32 by a homeowner seeking an Assessor’s report; and (b) An application to the Tribunal filed under s32.
Claimant:	A person who has lodged a <b>claim</b> under the Act.
Code Compliance Certificate (CCC):	A certificate issued by a Building Consent Authority at the completion of building work, confirming that the building work under the building consent complies with the approved plans and specifications.
Column:	A free standing vertical structural member. In engineering design it is used to support compressive axial load.
Common property:	Parts of the property in a building complex that is legally owned by more than one individual. For example, a driveway.
Company share complex:	A multi-unit complex owned by a flat-owning or office-owning company. The premises are owned by a company with the individual shareholders having a right to occupy a specified area or residential flat or unit.
Complex:	A building, complex or group of buildings that incorporates two or more dwellings.
Compliance documents:	Documents published by MBIE. They comprise <b>acceptable solutions</b> and <b>verification methods</b> that provide methods of compliance with the <b>Building Code</b> . Though optional, compliance documents are commonly followed in domestic building projects because they provide a straightforward ‘recipe’ for building (compliance documents were formerly known as <b>approved documents</b> ).
Compressed fibre cement sheeting:	A cellulose fibre reinforced cement board compressed to achieve a high density for use in wet areas and external applications.
Conduit:	(a) Channel or pipe to convey water. (b) Tubing used as a protective casing for electrical cables or wires.
Consent notice:	A notice issued under the Resource Management Act 1991 and recorded on the certificate of title in respect of the ongoing matters affecting the property. For example, geotechnical or footpath matters.
Construct:	To assemble and combine construction materials and methods to make a structure.
Contingency sum:	A sum of money included in the contract documents to cover the cost of items that cannot be defined or are unforeseen.
Contour line:	A line joining points of equal elevation on a plan or map.
Contract Site Investigation:	An instruction from the owner or agent to the main contractor.
Contract variation order:	an order to make a variation to the contract which must be agreed to by both parties to the contract.
Conveyancing:	The process of transferring the ownership of property or real estate from one person to another.
Covenant:	A written agreement inserted into the <b>Certificate of Title</b> or other legal instruments where the parties agree to do or not to do certain acts regarding the use or non-use of a property and/or land.

Cross-lease:	A number of people share in the ownership of a piece of land as tenants in common and cross-lease the homes built on the land from the other landowners.
Cross-lease complex:	A complex containing two or more dwellings held under an arrangement commonly referred to as a cross-lease title. Under the Act standalone dwellings that are cross leased fall within the definition of a multi-unit complex.
Culvert:	Pipe or enclosed channel, open at either end, used to convey water below an obstruction. For example, a culvert which runs under a road to convey stream water from one side of the road to the other.
Damp-proof course:	A layer of durable vapour barrier placed between building elements to prevent the passage of moisture from one element to another.
Department of Building and Housing:	Now part of MBIE, the DBH used to manage the system that regulates work and monitors its effectiveness. This included reviewing the <b>Building Code</b> and producing documents to show to how to comply with it. The DBH also monitored the performance of the Building Consent Authorities and district and city councils, and could investigate complaints. These functions are now the responsibility of the Weathertight Services Group of MBIE
Deposited plan:	Survey plan giving legal definition to a property's boundaries.
Designated land:	Generally applies to land owned by the Crown, local authorities or network utility operators to be used for designated public works. Examples of designated land are schools, regional services and power substations.
Destructive testing:	Testing to be done on buildings that is evasive in nature, for example cutting holes in walls, drilling panels, etc.
Determination:	A binding decision on technical matters of doubt or dispute regarding compliance with the <b>Building Code</b> or decisions by Building Consent Authorities and councils, or the Weathertight Homes Resolution Service adjudicators or the Weathertight Homes Tribunal.
Directions:	A procedural order made in the <b>adjudication</b> of a <b>claim</b> .
Discovery:	Mainly a legal term used to describe the process of going through, identifying and requesting copies of information held by another party that are relevant to a particular <b>claim</b> so as to avoid the situation of trial by ambush.
District Land Register (DLR):	An officer appointed to administer the Land Transfer Act 1952 (in a land registration district), including the deposit of Land Transfer Plans and the issue of new certificates of title.
District Plan:	A document, general consisting of maps, policies and rules, that sets out the activities permitted on any land governed by a District or City Council. It provides the conditions under which these activities require resource (or planning) consent.
Downpipe:	A pipe for conveying rainwater from a roof or gutter to a drain, sump or other point of discharge.

Drain:	Pipe normally laid below ground level including fittings and equipment intended to convey foul water or <b>stormwater</b> to an outfall.
Drainage easement:	The right of a property owner to enter other property to lay or maintain drainage reticulation. Councils have an easement in gross (an easement that does not benefit a particular tract of land but runs through all the parcels of land in an area) which allows them to enter the property to lay and maintain pipes.
Drainage plan:	A sketch plan lodged with the local council that shows where private wastewater and <b>stormwater</b> drains are laid and where they connect with the main sewer.
Drainage plane:	The plane, generally formed by a cavity, immediately behind a <b>cladding</b> system. The plane is generally a building wrap with specifically engineered water drainage paths to allow water that penetrates the cladding system to drain to the outside.
Drained cavity:	A cavity space immediately behind a wall <b>cladding</b> , that has vents at the base of the wall.
Drainpipe:	A pipe used for carrying off surplus water.
Dry rot:	A fungal disease in timber mainly caused by high moisture content that results in decay or disintegration of the timber into a dry powdery dust.
Dwelling-house:	A building, apartment, flat, unit or a house that was intended to have as its principal use occupation as a private residence. The definition of a dwelling-house can include a gate, garage, shed or office structure that is integral to the building and is intended for the use of an owner or occupier.
Earthworks:	All operations involved in moving, loosening, depositing, shaping, compacting and stabilising the ground at a building site.
Easement:	The right of the owner of one parcel of land to use all or part of the land of another for a specific purpose. One property will enjoy the benefit of the easement and the other will be subject to the right. Examples are <b>drains</b> , telephone cables or <b>rights of way</b> . In most cases easements 'run with the land' so that when the land is bought or sold the easements which relate to that land 'go with the land'.
Eaves:	The underside of a roof that extends beyond the external walls of a building.
Eligibility criteria:	<p>The criteria set out in ss14-18 of the Act, the main ones being that:</p> <ul style="list-style-type: none"> <li>• The <b>dwelling-house</b> was built within a 10 year period immediately before the day on which the <b>claimant</b> filed it with the <b>Ministry of Business Innovation and Employment</b>; and</li> <li>• Water has penetrated it because some aspects of its design, construction, alteration or materials used in its construction or alteration; and</li> </ul>

	<ul style="list-style-type: none"> <li>• Penetration of water has caused damage.</li> </ul>
Enforcement order:	An order to enforce compliance with the Resource Management Act 1991. It differs from an abatement notice in that everybody (not just the council) can apply for an enforcement order against someone else. These are issued by the <b>Environment Court</b> rather than the council.
Environment Court:	A specialist Court where people can go to appeal decisions made by councils on a policy statement, plan or <b>resource consent</b> application, or to apply for an <b>enforcement order</b> .
Equity:	An owner's financial interest in a property being the difference between the fair market value of the property and the amount still owing on the <b>mortgage</b> .
Evidence:	Facts that support and assist in proving any allegations or defending any allegations, in a <b>claim</b> .
Ex parte application:	An application filed and considered without notice to the other parties.
Experts conference:	A meeting of expert witnesses that will generally include the <b>Assessor</b> to endeavour to reach an agreement on the technical issues in relation to the <b>claim</b> .
Fascia:	The trim fixed horizontally around the building covering the joint between the top of a wall and the roof, upon which the rainwater guttering is usually connected. Also known as a fascia board.
Fee simple:	The maximum interest a person can have in a piece of real estate. It entitles the owner to unrestricted enjoyment of the property (subject to any relevant laws) including the right to dispose property in any manner they see fit. Also known as fee simple absolute.
Filing:	The submission of documents, <b>evidence</b> or <b>applications</b> to the Tribunal in relation to a <b>claim</b> .
Fill:	Items fitted to other larger items. Examples are <b>joinery</b> and cabinets, or the components of a pipe system, such as bends and elbows.
Fixed price contract:	Contract with a pre-determined and agreed upon price. It may be qualified by clauses providing for adjustment of the price under stated circumstances. For example, unavoidable delays in construction, unavailability of specified items, or changes required by the customer.
Fixtures:	Items permanently attached to real property which are legally treated as real property. Examples include cabinets, window blinds, plumbing and light fittings.
Flashing:	A building element used on a joint between two materials designed to catch rainwater to prevent it penetrating the interior. For example, sheet metal shaped and attached to a roof for weatherproofing.
Foundations:	The substructure that supports a building, such as piles, piers or footings, with the purpose of transmitting structural loads from the building into the earth.
Framework:	A shell of timber or steel vertical and horizontal members used to

	form the basic structure of a building.
Full Assessor's Report:	A report prepared by an <b>Assessor</b> under s42. Please note this section provides the statutory framework on the issues that can be covered by an <b>Assessor</b> and their report. <b>Members</b> cannot direct <b>Assessors</b> to provide reports on issues outside of the statutory framework.
Gable:	The upper triangular-shaped portion of the end wall of a house above the eave line of a double-sloped roof.
Grout:	Thin <b>mortar</b> used in masonry work to fill joints, cavities and cracks between brick, blocks, or tiles.
Gutter:	A channel around the <b>eaves</b> of a roof used to collect and carry away rainwater.
Gypsum:	Hydrated calcium sulphate added to cement to regulate setting and used as an ingredient in plasters and plasterboard.
Handrail:	A rail fixed at hand height along the top of balusters or posts to provide both support to, or assist with, the movement of a person.
Hardboard:	Wallboard of wood or other fibres compressed to produce a hardboard smooth on one or both sides.
Hardwood:	Broadleaf, usually deciduous, trees such as oaks, maples, ashes or elms. Although the wood from some broadleaf trees is rated to have a high density and loadbearing strength, some 'hardwoods' such as aspens have wood that is relatively soft.
Household unit:	A structure used for residential purposes and occupied exclusively as the home or residence of not more than one household.
Householders:	Residents, owners, tenants or ratepayers of a dwelling or household unit.
Insulation:	A substance that resists the transfer of heat, rated in terms of thermal resistance, called R-value, which indicates the resistance to heat flow. The higher the R-value, the greater the insulating effectiveness.
Interlocutory application:	A procedural or other application made prior to the substantive determination of the <b>claim</b> . This can cover things like an application for substitute of service, application for further particulars, and application for <b>joinder</b> .
Joinder:	An application for joinder can be filed under s111. Application to join a further <b>party</b> may be filed by the <b>claimant</b> or a <b>respondent</b> .
Joinery:	The art or craft of connecting timbers using woodworking joints. Joinery may also be made from aluminium.
Joist:	Horizontal framing member used to support floor and ceiling loads, and supported in turn by larger beams, bearers, girders, or bearing walls.
Kiln-dried:	Wood seasoned in a kiln by means of artificial heat, controlled humidity, and air conditioned to control moisture content.
Lagging:	Thermal insulation used to wrap around pipes or boilers.

Laminate:	To apply a thin sheet of material over a core substrate.
Land Information Memorandum (LIM):	A report issued by the council, usually to a potential purchaser. It lists information the council has about the property, including what <b>building consents</b> and <b>code compliance certificates</b> have been issued.
Leaky building:	A <b>dwelling-house</b> in to which water has penetrated as a result of an aspect of the design, construction or alteration, or because of materials used in its construction or alteration.
Lease:	A contract between the owner (lessor) and the tenant (lessee) stating the conditions under which the tenant may occupy or use the property for a fixed period of time.
Life estate:	A limited right to use or occupy property of the life of a person holding the estate after which title reverts to the grantor or a named third party.
Lower value claim:	An eligible <b>claim</b> where the work needed to make the house <b>weathertight</b> and repair the damage is not above the lower value ceiling. This ceiling is set by regulation and is currently \$20,000.
Main:	The principal sewer or <b>stormwater</b> into which individual drains discharge.
Mains:	A utility distribution system used to supply electricity, gas or water to a building.
Manhole:	An opening to allow access to the space between the roof and the ceiling, or below the floor.
Mediation:	A meeting of the parties and an attempt to resolve the issues in relation to the <b>claim</b> by agreement. A professional mediator contracted by MBIE facilitates the mediation and what is said and done in mediation is confidential to the parties.
Member:	<ul style="list-style-type: none"> <li>• Component of the structural assembly of any structure or building; or</li> <li>• A Tribunal adjudicator.</li> </ul>
Membrane:	A thin, pliable layer/sheet of material whose primary function is the exclusion of water.
Meter box:	An electrical or water box fitted to a dwelling to record usage.
Ministry of Business Innovation and Employment:	The ministry that has taken over the functions of the former <b>Department of Building and Housing</b> .
Monolithic cladding:	A <b>cladding</b> of sheet material forming a continuous mass, with an applied coating to give the appearance of a seamless cladding.
Mortar:	A mixture of cement, sand and water used as a bond between bricks, blocks, stones and other masonry materials.
Mortgage:	A legal document pledging property as security for the payment of a financial loan.
Moulding:	Ornamental trimming added to flat surfaces, cornices and columns. Usually includes architraves, skirtings and any other fancy fixtures.
Movement-control joint:	A joint or gap constructed in masonry, concrete, claddings or slabs-on-ground to control and absorb movements.
Natural justice:	The Bill of Rights Act requires tribunals to confine to the rules of natural justice. In brief they require fair and impartial

	<p><b>adjudication of claims</b> in the right of parties involved in decisions to be notified and 'heard' in relation to a claim. This does not necessarily require an actual hearing as decisions on paper can be made provided parties have an opportunity to comment prior to the decision being made. The Act also specifically provides that lower value claims should generally be dealt with on the papers.</p>
Notice to fix:	<p>A notice issues by a BCA, a council or regional authority for breaches of the Building Act or regulations (e.g. where building work does not comply with the <b>Building Code</b>). It specifies what remedial work must be done and by when. It is an offence to fail to comply with a notice to fix and a building owner can be fined up to \$200,000 plus a further \$20,000 a day as long as the offence continues.</p>
Order:	<p>A direction, procedural order, decision or costs award given in writing to the parties by a Tribunal member.</p>
Overflow:	<p>Pipe or drain that allows excess liquid to escape.</p>
Overhang:	<p>Any part of a structure that overhangs another part, for example, <b>eaves</b> and verges.</p>
Parapet:	<p>The portion of a vertical wall of a building that extends above the roof line or balcony floor.</p>
Party:	<p>An individual or organisation that has been named as having some role in a particular <b>claim</b> that could potentially be found liable for damages. A <b>claimant</b> is also a party.</p>
Party wall:	<p>An adjoining wall erected on the line between two adjoining properties that are under different ownership, for the use of both properties.</p>
Patio:	<p>An outdoor area adjoining a house that is usually paved.</p>
Paving:	<p>(a) Material used to pave an area (b) A hard surface pathway or pavement</p>
Performance requirement:	<p>A term in the <b>Building Code</b> used to describe either qualitatively or quantitatively how far the building work must go in meeting a particular <b>Building Code</b> clause's objective and functional requirements.</p>
Permitted activity:	<p>An activity listed in a District Plan for which no resource consent is required.</p>
Phoenix company:	<p>A company that goes into voluntary liquidation and then re-emerges, essentially as the same company, but under a different name.</p>
Plans and specifications:	<p>The documents according to which building work is proposed to be constructed, altered, demolished, or removed. They include proposed procedures for inspection during construction, alteration, demolition or removal.</p>
Practical completion:	<p>When everything in the contract is completed although there may be minor maintenance items still to be completed.</p>
Precast concrete:	<p>Sections of formed concrete ready for use.</p>
Prefabrication:	<p>The manufacture of sections of a building at the factor so they can be easily and rapidly assembled at the building site.</p>
Preliminary conference:	<p>A conference held between all the parties to <b>adjudication</b> after</p>

the Tribunal application has been filed and served on the respondents. This is carried out in order to deal with procedural and timetabling matters and to ensure the parties understand what they are required to do so that the matter can proceed to determination at the earliest possible time. Preliminary conferences can be done either face to face or through telephone conferencing.

Preliminary costs:	Costs incurred before actual work on site takes place. For example consents, drawings, and site setup.
Preliminary estimate:	An early estimate of costs for use as a rough guide.
Procedural order:	An order made by the Member in the course of <b>adjudication</b> that gives directions to the parties involved on various issues including timetabling.
Product certification:	Certification by a product certification accreditation body that a specific building product, system or method meets nominated provisions of the <b>Building Code</b> if used in accordance with conditions on the product certificate.
Project Information Memorandum (PIM):	A report, issued by the local council prior to issuing a building consent, confirming that building work may proceed, subject to any requirements under legislation other than the Building Act. It may also notify that building work may not be done. It includes information likely to be relevant to the proposed building work such as potential erosion, subsidence, slippage, and flooding.
Quantity surveyor:	A person who can assess your plans and tell you what materials you will need, in what quantities, and an estimate of how much it should cost.
Quantum:	The value of a <b>claim</b> .
Rafter:	The framing member which directly supports the roof sheathing. A rafter usually extends from the ridge or hip of the roof to the eaves and may be part of a roof truss.
Rail:	Cross members of a frame, gate, fence, or upper or lower members of a balustrade or staircase extending from one vertical support, such as a post, to another.
Remedial work:	Work done to fix a property.
Removal (Application for):	An application filed by a respondent for them to be removed from the proceedings. This is similar to a strike out or summary judgment in the High Court. Under s112 the Tribunal can remove or strike out a party if it considers it fair and appropriate in all the circumstances to do so.
Representative:	<p>(a) A person appointed by a party to a dispute to deal with any matters relating to the dispute on behalf of that party. A representative is given a certain amount of authority to act on behalf of a party. However, they do not have powers to make any decisions without proper instruction or signed on behalf of the party. In most cases the representative is a person of legal background.</p> <p>(b) A personal entity appointed by the owners of a multi-unit</p>

complex to bring a **claim** on their behalf. The representative of the owners of **dwelling-houses** in a **Unit Title Complex** is the Body Corporate. The representative of the owners in a **Company Share Complex** is the company. The owners of the **dwelling-houses** in **standalone complexes** or **cross-lease complexes** must authorise a person or entity to act as their representative.

Resource consent:	Land use consent issued under the Resource Management Act 1991 by the local council, for land use not designated a permitted activity in the district plan.
Respondent:	A person or legal entity against whom a <b>claim</b> is made.
Ridge:	The horizontal line where two planes of the roof intersect, forming the highest point on the roof running the length of the roof.
Right of way:	Privilege to pass over another person's land, as granted by the owner of that land. Right of way falls under the general category of <b>easement</b> .
Rules of evidence:	The formal rules of evidence that apply in the Court. The Tribunal is not required to follow the rules of evidence but can, and generally should, consider them in deciding the weight to be given to evidence that is provided.
Sealant:	Material used to seal joints or junctures against moisture, air or weather.
Seasoning:	Removing moisture from greenwood in order to improve its serviceability.
Sheet metal work:	Components using sheet metal, such as <b>flashings, gutters</b> and <b>downpipes</b> .
Service:	All documents and notices related to a <b>claim</b> have to be available to all the parties prior to the commencement of a hearing. It is at the point at which such items are received that they are rendered served.
Settlement:	Resolution of a <b>claim</b> by agreement between the parties before the formal <b>adjudication</b> hearing. This can be through <b>mediation</b> or informally between the parties.
Sill:	The horizontal member forming the lowest side of an opening, such as a door sill, or window sill.
Sitework:	Work on a building site, including earthworks, preparatory to or associated with the construction, alteration, demolition or removal of a building.
Site visit:	An inspection of the dwelling which is the subject matter of the <b>claim</b> by the <b>Member</b> . All parties are invited to attend or send a representative. The site visit takes place immediately prior to the formal <b>adjudication</b> . The <b>Assessor</b> will usually attend the site visit.
Skirtings:	Trim fixed on the wall where the wall meets the floor.
Span:	The distance between structural supports such as walls, <b>columns</b> , piers, beams, girders and trusses.
Spec home:	A home built before it is sold. The builder speculates that it will

	sell for a profit.
Standalone complex:	A multi-unit complex with no common areas.
Storey:	That part of a building consisting of a room or set of rooms comprising a single level of a building of more than one level.
Stormwater:	Rainwater, surface water, ground water and subsoil water that is usually channelled into drain systems in urban areas to prevent flooding.
Stud:	A wood or metal vertical framing member to which exterior or interior covering material may be attached. It can be either loadbearing or non-loadbearing.
Subcontractor:	A tradesperson hired to do specific work such as plumbing, wiring or painting. The subcontractor takes instructions from, is paid by, and is responsible to the main contractor.
Subdivision:	A property development that is created by dividing a tract of land into individual lots for sale or lease.
Submissions:	Exchange of written documents by parties relating to a <b>claim</b> they have been named in. Submissions are normally made on relevant law and its application to the matters at issue.
Subsidence:	The settling or sinking of the ground as a result of the loss of support from the underlying soils or strata. This could be due to factors such as earthquakes, compaction, a decrease in groundwater, underground excavations or the settling of waste.
Substantive application:	The application for <b>adjudication</b> of the <b>claim</b> .
Supplier:	A person in trade who supplies goods and services to a consumer (as defined in the Consumer Guarantees Act 1993).
Survey plan:	A plan showing legal boundaries of properties, the area and dimensions and the 'appellation', for example, Lot 1 Deposited Plan 12345.
Tenants in common:	People own land together as co-owners but in separate interests, which may or may not be equal. A person can dispose of their interest independently of the other co-owners. For example, in the event one of the owners dying then their share will not pass automatically to the other but instead pass to whomever the deceased owner has left it to in their will.
Tendering:	Potential suppliers send tenders (offers) for supplying goods and/or services. The contract is formed when an offer is accepted.
Termination:	The closing or completing of a <b>claim</b> . This can be by way of the issuing of the final decision or where the claim has been settled or the <b>claimant</b> has sold the property.
Territorial Authority (TA):	City or District Council.
Threshold:	The sill to an external door or the floor under an internal door, usually a strip of wood or metal with bevelled edges.
Title search:	An examination of the chain of title to real property as indicated in the public records in order to determine the ownership of the property, and any encumbrances or defects on the title.
Transition date:	The date the 2006 Act came into force was 1 April 2007.
Transition provision:	Sections 128-160 of the 2006 Act. The transition provisions cover

all **claims** where a claim had been filed to a DBH prior to 1 April 2007 whether or not eligibility had been determined at that date. The way claims are dealt with under the transition provisions depends to some extent on the point they had reached in the process under the 2006 Act.

Trim:	The finishing on a building, such as the skirtings, architraves, or cornices.
Undercoat:	A coating applied after priming and before applying the finishing coats of a paint job.
Unit title:	A title that records ownership of a 'unit' of a larger property, and an undivided share in the ownership of the common property. The owner becomes a shareholder in the company that manages the common areas, such as a garden, garage, pool, parking space, lifts and laundries. The unit can be bought and sold, or leased, or mortgaged. Other names for unit title are stratum estate or strata title.
Unit title complex:	A complex containing <b>dwelling-houses</b> held under the stratum estates under the Unit Titles Act 1972.
Vapour:	The suspension in the air of particles of a substance, such as water or chemicals.
Vapour barrier:	Sheet materials or coatings having low water-vapour transmissions and used to minimise water-vapour penetration in buildings. Also known as damp-proof membranes.
Variation:	A change to the plans or materials originally specified in the contract.
Variation Price Request (VPR):	A request from the owner about the cost or saving of a proposed change to the contract.
Vendor:	The person who is selling property.
Veneer:	(a) A thin sheet of wood mad by rotary cutting or slicing which is usually glued onto an inferior base wood for decorative purposes. (b) Any type of decorative layer applied to a rough finish. For example, a veneer of stone slabs laid over a masonry base.
Vent:	A pipe, duct or other opening that allows flow of air in or out.
Ventilator:	Device installed to promote and maintain the ventilation of a building.
Verification method:	A method by which building work may be verified for compliance with the <b>Building Code</b> . Verification methods can include calculations, laboratory tests or tests in-situ. Verification methods are published in DBH's compliance documents.
Wahi tapu/Waahi tapu:	A place, site or object sacred to Maori in the traditional, spiritual, religious, ritual or mythological sense.
Waste pipe:	A discharge pipe that carries waste water from water fixtures to a gully trap.
Waterproofing:	The process of rendering a building totally resistant to the passage of water and/or water vapour.
Weatherstrip:	A strip of material fixed around the closed edge of a window or

	door to ensure tight sealing that limits the movement of air and water.
Weathertightness:	The term used to describe the resistance of a building to the weather. Weathertightness is not necessarily <b>waterproofing</b> , but rather preventing undue dampness inside buildings and damage to building elements.
Weephole:	An open hole to provide means of drainage. For example, a small hole in a retaining wall or abutment to prevent the accumulation of water behind the structure, an opening in a wall or window sill member through which water may drain to the building exterior, or a drainage point in the cladding designed to drain water from a joint or cavity.
Withdrawal:	A <b>claimant</b> may withdraw a <b>claim</b> from <b>adjudication</b> . However, to do so they must either have agreement of all the parties or the consent of the Tribunal. The Tribunal can only give consent if it does not recognise a legitimate interest on the part of any respondent to object to the withdrawal in obtaining added determination in respect of the <b>claim</b> .
Witness:	A person who has had any dealing with any of the <b>parties</b> to a <b>claim</b> or who are somehow connected to the claim is used by one of the parties to give his/her account of their relevant knowledge relating to it. Witnesses can also be experts called in to give their opinion on matters they have expertise on.
Witness Summons	An order for a person to attend the Weathertight Homes Tribunal to answer questions relating to the <b>claimant's</b> property
Wood filler:	A coloured paste used to fill and level off any imperfections found in finished wood surfaces.
Working day:	A working day is any other day than Saturday, Sunday, a statutory holiday, (including the appropriate anniversary day for the province in which the <b>claim</b> is heard) and the period commencing 25 December and ending 15 January.
Zoning:	Limits prescribed by town planning or building bylaws to describe area which are set aside for specific used or interests. For example, high rise, residential or industrial.

# Abbreviations

<b>Abbreviation</b>	<b>Definition</b>
<b>BIA</b>	Building Industry Authority
<b>CCC</b>	Code Compliance Certificate
<b>CM</b>	Case Manager
<b>CMS</b>	Case Management System (the computer program used by the Tribunal for case management)
<b>C.O.A.T.</b>	Council of Australasian Tribunals
<b>CT</b>	Certificate of Title
<b>DBH</b>	Department of Building and Housing
<b>DPC</b>	Damp Proof Course
<b>DLR</b>	District Land Registrar
<b>FAP</b>	Financial Assistance Package
<b>JM</b>	Jurisdiction Manager
<b>LIM</b>	Land Information Memorandum
<b>MBIE</b>	Ministry of Business Innovation and Employment
<b>PC</b>	Preliminary Conference
<b>PIM</b>	Project Information Memorandum
<b>PO</b>	Procedural Order
<b>TA</b>	Territorial Authority
<b>VPR</b>	Variation Price Request
<b>WHT</b>	Weathertight Homes Tribunal