

GUIDANCE

NOTES

Produced by

Tendring District Council **Building Control Service Weeley**



COMPLETION CERTIFICATES

This guide has been prepared to remove some of the confusion that surrounds completion certificates.

WHEN WERE COMPLETION CERTIFICATES COMPULSORY?

It is compulsory under the Building Regulations for the person carrying out the work to give notice of completion to Building Control. However, it has never been compulsory to obtain a completion certificate for normal domestic works (there are statutory requirements regarding certain fire safety issues and the Fire Safety Regulatory Reform Order).

In the Tendring area completion certificates began to be issued from the early 90's, initially only when formerly requested on the application form. Later this changed to the presumption that certificates would be issued where a satisfactory completion inspection had been carried out.

WHY DO I NEED A COMPLETION CERTIFICATE?

A completion certificate is proof that the building work has been carried out in accordance with Building Regulations and therefore, as far as can be reasonably determined, is built to certain standards.

Prior to 2000 little attention was given to completion certificates. Householders were often reluctant to request a completion inspection in the belief that their rates/council tax would rise if they did so (this is no longer the case). Solicitors frequently did not consider building regulations to be important in searches, concentrating their attention on planning issues. This all changed with the court case of *Cottingham v Attey Bower & Jones* [2000].

Before this case, where alterations were more than 12 months old, conveyancers would not normally investigate further, maintaining that enforcement proceedings were time-barred. Issues relating to the condition of the property were a matter for the buyer's survey. Or so it was thought.

Mr Justice Rimer decided that what had been long-established conveyancing practice was deficient. The defendant solicitors, who had represented the buyers in a residential purchase in 1993, were held negligent for not attempting to obtain a copy of the building regulations approval for renovations carried out eight years earlier.

The upshot of all this is that it's **extremely** important that you obtain a completion certificate whenever you undertake building works where the regulations apply. Failure to do so will likely mean that you will be unable to sell your property. Remember that it is an offence not to give notice to your Local Authority when works have been completed.

If you are buying a new or altered property, always make sure your solicitor checks that a completion certificate has been issued for the work. This is particularly important if we find defects later, in that it may be **you** who is responsible for correcting them rather than the previous owner.

IS A COMPLETION CERTIFICATE THE SAME AS A GUARANTEE OR WARRANTY?

No. The completion certificate simply confirms that, as far as the Council has been able to ascertain, the work on-site complies with the Building Regulations that were in force at the time that the certificate was issued. This



means that inspections will have been carried out at the appropriate times, and that any problems found were put right. It does not mean that the building does not contain other non-Building Regulation issues though. For new-build dwellings it is vital that you also ensure that a valid warranty is in place, just in case problems occur at a later date.

HOW CAN I GET A COPY OF THE COMPLETION CERTIFICATE?

Our information is only available to the homeowner, or solicitor. The documents provided by a designer do however remain subject to copyright laws. Therefore, copies of drawings, calculations or other documentation cannot normally be provided.

For a copy of the certificate please contact our admin section on the number below or email BCInspections@tendringdc.gov.uk

Please remember that a completion certificate can only be issued where a satisfactory inspection has been undertaken. It is unlikely that a certificate will be available for works done pre 90's.

For More Information please call
Tendring Building Control
01255 686131

or email us at BCInspections@tendringdc.gov.uk

or alternatively call into our offices in Thorpe Road
Weeley, CO16 9AJ.

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