



REGULATION 05 -

THE SURVEYING OF RESIDENTIAL AND COMMERCIAL PROPERTIES

INTRODUCTION

This standard applies to all surveys and represents the views of the Executive of the Institute and it is recommended that this Standard be adopted by members as a principle of "best practice" for the surveying of all residential and commercial properties.

The Executive acknowledge and endorse the NEW ZEALAND STANDARD NZS 4306 2005 RESIDENTIAL PROPERTY INSPECTION and regard this document as supporting this Regulation and providing further detail in establishing minimum standards of surveying and reporting, unless specifically contracted otherwise.

Where appropriate the Executive may use NZS 4306 in support of Regulation 05 when assessing claims against members as to the public and industry expectations of reasonable skill and care in the surveying and reporting of property.

1.0 THE SURVEYOR'S ROLE

1.1 Survey and Advise

To survey and provide advice with regard to items of concern or where problems have been identified to the brief of request by the client.

1.2 Duty of Care

To understand the requirements of “duty of care” and to highlight any factors that could affect the property that were visible at the time of the survey.

1.3 Written Report

To provide a written report highlighting concerns or problems identified.

2.0 THE SURVEYOR’S INSPECTION

2.1 Method of Inspection

The surveyor should undertake a visual survey of the areas concerned where identified in the brief. The surveyor should check if there are other factors that are materially affecting the matters required.

Where the surveyor is unable to carry out destructive testing and analysis, they may provide opinion on the likely conditions, causes and other such areas based on the available information.

2.2 Pre-purchase/Condition Surveys

When a pre-purchase/condition survey is undertaken care should be taken by the surveyor to identify the method and type of survey required. Where there is no specific brief to the contrary the surveyor should examine the exterior, interior, services along with the roof, sub-floor spaces, roof space or any other accessible parts of the building.

2.3 Accessibility.

If the building surveyor is on site with the owners of the property and is reporting to them, then it is reasonable to ask or expect the owner to provide or give permission for the removal of shelves or any other physical item that prevents access into roof spaces or alternatively floor spaces. If the property is owned or tenanted by a third party then the surveyor can only be expected to use the access provided it is free and clear for use. The surveyor should make every endeavour to pre-warn the person giving access that this type of accessibility may be required.

The surveyor shall not move, adjust, relocate or transfer any furniture, fittings, personal effects or belongings of any tenant, owner or client unless specifically approved by the affected party.

It is the surveyors responsibility to comply with the requirements of the Health and Safety in Employment Act 1992 at all times. If accessibility to areas such as roof or ceiling spaces are, in the opinion of the surveyor, considered hazardous at the time of the survey, then this shall be stated in the report and an opinion based analysis of the affected areas shall be made.

2.4 Proof or Opinion

The nature of the report should be undertaken by the surveyor in a manner where there is a burden upon the surveyor to find proof to sustain opinion rather than merely having the reliance on opinions. This may require requests for destructive testing, that is, the removal of wall panels or some other element. If such a request is declined then care must be taken by the surveyor to identify and include that information in their report. The risk of making opinion based on assumption, is that it could easily be wrong, however, at times this may have to occur and again this should be clearly highlighted as an opinion based on an assumption rather than fact, one that may need to be altered or changed if further facts come to light.

2.5 LIM's or Council File

The surveyor is not required to ask for a LIM report, nor required to inspect Council or Territorial Authority's files unless there is specific instruction to do so. If there are factors that highlight themselves during the inspection that may require further checking through Council records that matter should be handled by a notation within the report.

3.0 THE SURVEYOR'S REPORT

3.1 Type of Format

The surveyor should supply a report in a written format, it may be permissible that such a format could be in the form of a pre-endorsed form such as check list format provided that the comments made are clear and legible.

3.2 True Copy

The surveyor should keep a true copy of his report together with any notes taken on site for a period of (6) six years to be in line with our standard Conditions of Engagement, or any other period that may be included in the Conditions of Engagement used by a member.

3.3 Basic Notes

All reports should be dated, should note the type of access given and should clearly state what instructions were given to the surveyor for the survey.

3.4 Logical Layout

The layout or form of the report should be logical and easily understood.

3.5 Matters Arising

Any matters arising such as factors mentioned above with regard to the survey should be identified and carried forward to the report.

3.6 Type of Survey

There should be a statement within the opening or body of the report that clearly highlights the type of survey requested and carried out, that is visual, instrument based, destructive, or for instance, merely a preliminary "look and view".

3.7 Addressing

The report should clearly state the property address and to whom the report is addressed to.

3.8 Directing Reports

If the surveyor is informed that the report is also required for meeting the condition for a 'Sale and Purchase Agreement' or lending situation then either the solicitor or the lender should be identified within the report.

3.9 Incomplete Survey

If any part of the survey was not able to be carried out for whatever reason then this should be clearly stated in the report.

3.10 Clearly State Source of Information

If any information is given or provided and has been relied upon within the report then it should be clearly stated as to its source and the type of information.

3.11 Matters of Concern

If the surveyor notes a matter of concern, they have the option to include that as a comment at the end of the report even though it may not be strictly material to the visit or alternatively should write separately to the report, to their party informing them of their concern with another matter.

3.12 Recommendations

If there are other professionals required then the report should highlight and recommend those professions e.g. an engineer, a geo-technical consultant, or a specialised drainage surveyor. This will also apply to other specialist services personnel such as electricians, plumbers and the like.

3.13 Specific as to Content

The report should be clearly specific as to the items that it does cover so that there is no doubt as to the manner and type of survey undertaken.

4.0 THE SURVEYOR'S RECORD OF SURVEY

4.1 The surveyor should make and retain legible notes as to their findings and particularly the limits of the survey and the circumstances under which it was carried out.

5.0 DISCLOSURE

5.1 If the surveyor has undertaken a formal report that is not made in accordance with this practice standard they should give reasons for their departure.