

Design LBP's licence cancelled for incompetent and negligent work

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The Building Practitioners Board (the Board) recently cancelled the licence of a Design licensed building practitioner (LBP) and has chosen to publish the details of the matter due to the seriousness of the issue.



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Three complaints were made against Graeme Taylor in Napier. These complaints were considered together by the Board due to the similarities in Mr Taylor's conduct in each complaint.

It is important that LBPs are aware of the consequences of the failure in this circumstance and avoid similar outcomes.

Graeme Taylor (C2-01722, C2-01723, C2-01724)

Mr Taylor was found to have:

- carried out building work in a negligent or incompetent manner; and
- misrepresented his competence/worked outside his competence.

Three complaints were received against Mr Taylor relating to his failure to supply the building consent authority (BCA) with sufficient information for building consent applications.

Evidence showed Mr Taylor tended to rely on standard details and solutions even when they were inadequate, rather than considering and addressing specific design requirements.

The Board commented that a designer should be developing a design with the intention of getting it right the first time and should not be relying on the BCA to assist them with making the design compliant with Building Code. The BCA is responsible for enforcing compliance, and should not be seen as a form of quality assurance.

The Board noted that LBPs must work within their competence and only take on work they are licensed to do. The quality of Mr Taylor's designs are evidence he did not have the right skill set, knowledge base or experience for the work he was doing and show he was operating outside his area of competence. Mr Taylor held a Design Area of Practice 1 licence and took on complex work outside of this area.

The Board cancelled Mr Taylor's licence, with a stand-down period of 6 months before he can reapply. Although Mr Taylor had made changes to his design practice he still failed to meet the competence standards required of an LBP. Cancelling his licence means the Board can ensure Mr Taylor's competence will be objectively assessed should he apply for relicensing.

The Board also ordered Mr Taylor to pay some costs towards the inquiry and that the decision would be publicised.

What we can learn from these decisions

Poor quality assurance, a reliance on the BCA to ensure compliance with the Building Code, and fundamental design mistakes led to this LBP being disciplined.

Not only did Mr Taylor submit inadequate designs to the BCA but there was evidence that he had not engaged engineers at appropriate times.

There were several serious deficiencies in his practice, so that even if the designs had been buildable, the Board would still have found Mr Taylor negligent and incompetent.

This complaint highlights the importance of understanding your regulatory obligations. As an LBP you can only undertake work you are competent and licensed to carry out.

Read this and past decisions in full on the [LBP website \(https://www.lbp.govt.nz/complaints-and-past-decisions/past-complaint-decisions\)](https://www.lbp.govt.nz/complaints-and-past-decisions/past-complaint-decisions).



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