

Weathertight Homes Tribunal Seminar

Date: Thursday 17 March 2011

Location: Weathertight Homes Tribunal, Level 8, AA Centre, 99 Albert St, Auckland
Starts at 5:00 p.m. and will last for approximately 2 hours with a 15 minute break

This seminar will be presented in two parts:

- **An introduction to the Weathertight Homes Tribunal**
- **Remedies: What can be claimed**

In late 2006, The Weathertight Homes Resolution Services Act 2006 established the new Weathertight Homes Tribunal. The Tribunal replaced the old adjudication process and came into existence from the beginning of April 2007. This change happened as a part of a wider suite of enhancements with the aim of improving the timeliness of resolution of claims.

The first part of the evening will cover the workings of the Tribunal. It takes you through the general process. This seminar is ideally suited for anybody who is expecting to be involved in the Tribunal without legal counsel. The speakers will include Trish McConnell the Chair of the Weathertight Homes Tribunal and Thomas Jameson the Weathertight Homes Tribunal's Legal & research officer.

Topics

- What is a Tribunal and how does it work?
- What is the role of the Adjudicator?
- Do I need a lawyer?
- The Tribunal process
- How are parties removed from the process?
- What assistance is available during the process?

The second part of the seminar will explain in layman terms the most common legal basis or cause of action for claims available for homeowners of leaky buildings. This seminar will explain how to present these arguments before the Tribunal and how to defend against them. This seminar is ideally suited for anybody who is expecting to be involved in the Tribunal without legal counsel whether they are a homeowner or a potential respondent.

Topics

- The Weathertight Homes Resolution Services Act 2006
- The Tort of Negligence
- Personal liability of directors
- Breach of Contract
- Contractual remedies Act 1979
- Claims under the Fair trading Act 1986
- Claims under the Consumer Guarantees act 1993
- Potential Defences to Leaky Homes Claims

- Mitigation of loss
- Betterment & depreciation
- Limitation periods
- Claims subject to previous settlement or determination
- Bankrupt/struck off respondents or respondents in liquidation

After the seminar all attendees will have an opportunity to ask questions but please note that the members of the Tribunal will be unable to answer any questions which are specific to any claim that is currently before the Tribunal.

Space will be limited so it's essential you book your place. To book your place please call Kayla McAlister on 0800 777 757 or email WHTenquiries@justice.govt.nz