

MASTER BUILDERS

ROMINA DE SANTIS, technical adviser at Master Builders WA, answers your questions about home building



THE QUESTION

It feels like my house is starting to fall apart! Cabinet hinges are coming loose and seals are coming away from my window frames. Most alarming are the cracks around the windows and doors. I tried to contact the builder because my home is only three years old, but haven't received a call back. I'm worried the company may have gone into administration. How do I have these issues examined and rectified?

THE ANSWER

A builder is generally liable for faulty and defective work for a period of six years after practical completion. This time limit is strictly enforced. If a claim is made one day late then it will be invalid. It covers all faulty and defective work.

Not all problems are due to faulty and defective workmanship during construction. Just as items wear out on a new vehicle after a period of time, which the consumer rather than the manufacturer replaces, so it is with new homes.

Replacement of items due to wear and tear is not the builder's responsibility. In this case, it is likely the hinges and window seals fall under the maintenance of your home. A builder is only liable when defects emerge due to faulty and/or unsatisfactory workmanship.

If the cracks are due to defective work, the best course of action is to contact the builder and seek their response to the concerns. The builder will usually send a representative to assess the building work and consider whether they have any liability for the defect.

However, as the builder may be in administration, you may be able to claim against the home indemnity insurance policy that is likely to have been in place.

Home indemnity insurance is compulsory in WA for most building projects over \$20,000.

Home indemnity insurance is a last resort cover should the builder die, disappear or become insolvent. A builder carrying out residential building work on behalf of an owner is responsible for taking it out.

The policy should cover costs to:

- * Rectify any defects in the building left by a builder who has become insolvent, disappeared or deceased.
- * Survey the building to identify defects before appointing another builder to complete the works.

To determine your entitlements, you should obtain a copy of the home indemnity insurance certificate that should have been supplied to you by the builder.

If one hasn't been supplied, you should refer the matter to the Building Commission, www.buildingcommission.wa.gov.au.

For more information about building, visit the Master Builders A-Z Building Information Directory at www.mbawa.com. If you have any questions about home building or purchase issues, email romina@mbawa.com

DANGEROUS LIAISONS

Asbestos Awareness Week starts tomorrow. Master Builders director Michael McLean chatted with respiratory medicine expert and clinical professor of population health Bill Musk to gain a better understanding of asbestos-related diseases. Here's what he discovered.

EXPOSURE to asbestos is now an established cause of a number of serious diseases. They include asbestosis (inflammation and scarring of the tissues of the lung), lung cancer (especially in smokers), malignant mesothelioma (cancer of the tissues that line the chest and the abdominal cavities), thickening of the pleural tissue around the lungs, which prevents the lung from expanding when a person breathes in, and other less common diseases.

The physical properties that have made asbestos so valuable to the construction industry, especially its indestructibility, fibrous nature (which makes it ideal for fibre-cement), strength, heat and water-resistance, poor heat conductivity (good for insulation) are responsible for the drastic effects it has on the body when it becomes airborne and is inhaled.

The effects of asbestos depend on the type of asbestos to which a person has been exposed – blue (crocidolite), white (chrysotile) or brown (amosite). They often do not become apparent for years.

Asbestosis may start after a few months of heavy exposure, but in some cases it may be delayed for years.

Lung cancer resulting from exposure to asbestos can take a number of years to manifest.

The risk of contracting malignant mesothelioma does not begin to rise for at least 15 to 20 years, but then escalates exponentially for the subsequent 40 to 50 years.

Following World War II the use of asbestos in industry became commonplace.

This became linked to outbreaks of malignant mesothelioma, previously a virtually non-existent disease.

There is no level of exposure to asbestos below which there is no risk of developing malignant mesothelioma.

Virtually all cases of malignant mesothelioma have had some exposure (as demonstrated by the Mesothelioma Registry that is held in the Health Department's Cancer Registry).

Surgical removal of mesothelioma is not possible, because of its

comprehensive spread throughout the chest or abdominal cavity where it originated.

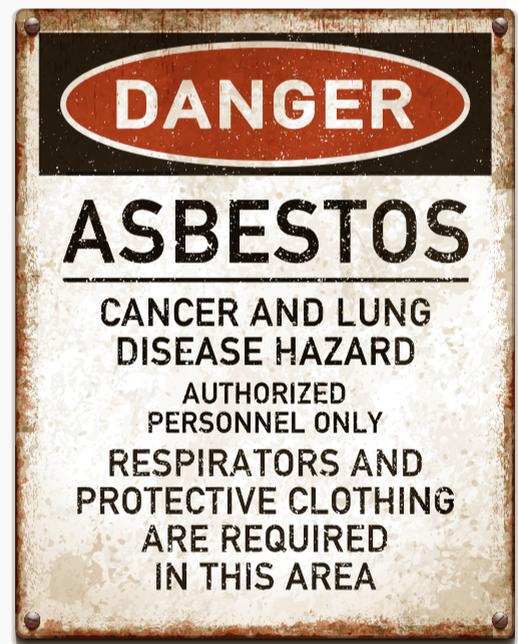
The survival with mesothelioma depends on the patient's age, the extent of disease and the type of cells in the tumour.

Nevertheless, 50 per cent of patients die within nine to 12 months, unless there is some response to chemotherapy which may result in an average life extension of three to six months.

New approaches to cancer treatments that depend on increasing understanding of the biology of cancer are being developed in laboratory studies involving tissue/cell cultures and animals, and are part of clinical trials which are under way.

The bottom line for homebuyers and renovators is to assess whether your house contains asbestos.

If it does, don't take the risk of removing it yourself or disturbing its location. Leave that to the experts, including appropriately trained master builders, specialist contractors and demolition companies. Asbestos also must be disposed of legally at designated disposal sites.



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