Editorial

The value of a building, in part, is related to its quality. The liability that the property represents is an inextricable part of the appraisal of a building. Those who inspect buildings to seek to identify the risks that may be present are guided in the responsibilities of their task by their professional bodies and the terms of engagement that they agree with their client. As the terms of engagement comprise the contract document for the task it is surprising how poor so many of these documents are.

It is the duty of any practitioner to manage the expectation of the client by establishing clear contract terms for the task. Those that commission a survey have widely different views on what will be provided and what they have a right to expect. When I carried out research in 1999 into the public expectation of a survey, 90 per cent of those who responded were unable to distinguish between a mortgage valuation and a building survey (Hollis and Bright, 1999). Unfortunately, the RICS guidance note on *Building Surveys of Residential Property* revised in 2004 missed an opportunity to establish a precise standard. The decision of the UK Government to introduce Home Inspection Surveys for England and Wales (subject to a satisfactory trial period from mid-2006) will not improve public understanding of what should be expected from a building survey.

If there is doubt in the minds of the public, then the terms of engagement must be precise. It is common to read loose phrases such as 'advise on the structural condition of the fabric'. How extensive would the survey inspection have to be to enable that task to be completed? Should that advice make a comparative judgment between an existing property's construction and the performance expectation of the construction of a new building? There are some who believe that there is an obligation in all building surveys to advise where a building does not comply with the current standards set out in the Building Regulations. At the present time that is a task in itself because of the chaos created by the frequent changes in these regulations. Most of the leading professional bodies and contracting organisations have lobbied the UK Government seeking reform of these regulations. The main thrust of the unhappiness is the complexity of the regulations that makes them difficult to understand and to enforce. If there is a duty in a survey report to advise where a building does not meet these standards, then the complexity of the standards themselves prevents this being a manageable task as an ancillary element of the survey inspection. The current RICS guidance expects the surveyor to report upon the 'adequacy of the structural framework and fabric' or 'conformity with modern requirements' (RICS, 2004: s. 6.4.1). This leaves open

whether this advice upon adequacy and conformity should include a comparison with current building standards. If this task is difficult (if not impossible) to achieve, why is it not excluded from the duties that the surveyor intends to perform? But most surveyors' terms of engagement are silent on this matter.

For example, I have great difficulty with the standard of insulation expected in a building. While I know the U-value to be achieved, no longer can I look at the thickness of the insulation provided and know whether or not it will meet the required performance standard. Not only can the required standard for roof void insulation fail to be achieved by material thicknesses close to 200 mm, manufacturers maintain that multi-foil insulation can achieve these standards at thicknesses close to 25 mm (recent testing of this product by the National Physical Laboratory suggests that the claims are overstated). There is not a simple table that sets the performance of one product alongside another to show what is achieved for varied thicknesses.

The activity of the Government to strengthen the thermal performance of residential buildings, perhaps because of the projected rapid increase in fuel costs and the decline in domestic oil and gas production, is in marked contrast to the thermal standards expected of commercial property. While strict standards are imposed upon the domestic thermal wall performance, glitzy office buildings prance around in the scantiest of cladding. It cannot be long before the cost in use of commercial buildings has an impact upon their value.

The expectation of the client is usually examined when there is a need for the client to make unexpected payments to remedy a problem that occurred shortly after acquiring a building where a survey had been prepared before the transaction. Breaches of Building Regulations in older buildings do not usually result in the owner having to spend money because of the statutory limitation upon Building Control being able to challenge noncompliance. But failure to meet the relevant standards for fire precautions, or in recent changes to windows or boilers could be actionable even in an old building. It is important that new terms of engagement are prepared that establish what should be provided and expected of a 'building survey' so that the building survey becomes the recognised gold standard as part of the appraisal of a building.

In this edition of the *Journal of Building Appraisal* we have three papers on damp allied problems and two on inspection challenges and defects. Dampness is touched on in the paper by Pat Coleman on toxic mould (an expensive topic for insurers in the USA), George McGill details new ways of diagnosing dry rot and Jari Heikkilä reports on timber damage in Finland. The views of the loss adjuster considering subsidence claims are considered in Tony Boobier's paper. This view from the other side of the fence may help practitioners dealing with

claim circumstances. We end the first year of the *Journal* with the start of a short series of papers by Alex Frame on the Party Wall etc Act and Sarah Wilson's paper examining the current law relating to limitation.

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References

- Hollis, M. and Bright, K. (1999) 'Surveying the surveyors', *Structural Survey*, 17(2), pp. 65–73.
- Royal Institution of Chartered Surveyors (RICS) (2004) *Building Surveys of Residential Property*, RICS Guidance Note, RICS, London, UK.