Before the Building Practitioners Board	BPB Complaint No. 26934
Licensed Building Practitioner:	Craig John Pollard (the Respondent)
Licence Number:	BP 117897
Licence:	Carpentry and Site AoP 2
Complaint or Board Inquiry	Complaint
Hearing Location	Zoom
Hearing Date	12 August 2026
Decision Date	12 August 2026

Board Members:
G Pearson
E McDouall
S Chetwin
S Hammond

DECISION OF THE BOARD

Introduction

[1] This case concerns building work on a new dwelling at [OMITTED], under building consent [OMITTED]. Mr Pollard's engagement ended while the work was incomplete. A [OMITTED] District Council (the Council) inspection 22 days later raised questions about roof trusses, framing, the midfloor, wall thickness and joinery changes. The Board also had to decide whether Mr Pollard provided his record of work.

[2] The Board has considered the written record and the evidence given at the hearing. None of the three notified grounds of discipline is established. This decision explains why.

The questions and answers

[3] The Board answered the following questions:

a) Did Mr Pollard carry out or supervise the notified building work in a negligent or incompetent manner?

b) Did Mr Pollard carry out or supervise building work that did not comply with the building consent, including by failing to follow an appropriate consent-change process?

c) Did Mr Pollard fail, without good reason, to provide his record of work to the owners and the Council?

d) What orders should follow?

[4] The Board answers those questions as follows (using the same letters as correspond to the questions):

a) **No.** The evidence did not establish a defect attributable to Mr Pollard, still less conduct that fell seriously short of the standard expected of a reasonably competent, licensed building practitioner.

b) **No.** The Board is not satisfied Mr Pollard's work departed from the building consent. Any adjustments made were appropriately communicated and managed through the correct compliance channels.

c) **No.** Mr Pollard provided the record of work promptly to both the Council and the home owners after his work ended.

d) The charges are dismissed. No disciplinary order, penalty or costs order arises.

The proceeding

What was the Board asked to decide?

[5] By a Notice of Proceeding dated 21 May 2026, the Board decided to investigate three grounds under section 317(1) of the Building Act 2004 (the Act). The Notice controls the scope of this decision.

[6] The notified grounds were whether Mr Pollard had:

a) carried out or supervised building work in a negligent or incompetent manner, contrary to section 317(1)(b);

b) carried out or supervised building work that did not comply with a building consent, contrary to section 317(1)(d); and

c) failed, without good reason, to provide the persons specified in section 88(2) with a record of work on completion of restricted building work, contrary to section 317(1)(da)(ii).

[7] For the first two grounds, the Notice identified the matters in the Council's inspection report of 13 March 2025: truss position and alteration; framing alignment and plumb; wall thickness; joinery changes; and the consent-change process for the truss design and layout.

Who took part in the hearing?

[8] The hearing took place by Zoom on 12 August 2026. The following persons attended the hearing:

a) The Respondent and Jenny Pollard, his wife and business partner.

b) The complainants, [OMITTED] and [OMITTED], attended as the owners of the property.

c) [OMITTED], the licensed building practitioner who provided the design services for the project.

d) [OMITTED], the licensed building practitioner carpenter who took over the project after Mr Pollard's engagement ended.

e) [OMITTED], the Council building control officer who undertook relevant inspections.

[9] The Board considered the hearing file and the oral evidence. Of particular importance were the evidence about the stage of the work when Mr Pollard left, the technical evidence about the alleged departures from the consented plan, communications with the designer and truss manufacturer, and the evidence about the Council portal where records of work are uploaded.

The legal framework

What must be proved?

[10] The Board must be satisfied on the balance of probabilities. The seriousness of an allegation informs the persuasive power of the evidence required, but the standard does not change: *Z v Dental Complaints Assessment Committee.*[1]

[11] Section 322 permits relaxed rules of evidence. The Board must still assess reliability and weight. Mr Pollard does not need to disprove the allegations.

[12] Not every mistake or unfinished item is disciplinary. Section 317(1)(b) requires conduct that falls seriously short of the standards reasonably expected of a licensed practitioner: *Collie v Nursing Council of New Zealand.*[2]

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1 *Z v Dental Complaints Assessment Committee* [2008] NZSC 55, [2009] 1 NZLR 1

2 *Collie v Nursing Council of New Zealand* [2001] NZAR 74

[13] For section 317(1)(d), the Board must identify the controlling consent, Mr Pollard's work and the proven departure. An inspection failure is relevant but does not itself prove his personal disciplinary responsibility.

[14] For section 317(1)(da)(ii), section 88 required Mr Pollard, on completion of his restricted building work, to provide a record of work to both the owners and the Council. The notified charge could be established only if he failed to do so without good reason.

What work was Mr Pollard responsible for?

[15] Mr Pollard was licensed in Carpentry and Site AoP 2. He was engaged through CJ Building Services (2007) Ltd to carry out and supervise work on the new dwelling. His work included part of the RibRaft foundation, wall framing and roof-truss installation.

[16] The parties' relationship ended on 19 February 2025. Mr Pollard's team then left the site. The work was incomplete, another builder took over, and Mr Pollard had no further opportunity to complete and/or address the alleged framing issues.

[17] The central Council inspection occurred on 13 March 2025 at Mr [OMITTED]'s request. It was 22 days after Mr Pollard had left, when the work he had been carrying out was incomplete. The Board has therefore considered both the construction stage and the possibility of movement or intervening work.

What did the evidence establish about the trusses?

[18] The 13 March report recorded the centre-link trusses were approximately 100mm from the wall-framing layout. It also led to questions about whether prefabricated trusses had been altered.

[19] The written record contained the manufacturer's statement and truss material. Mr Pollard had also maintained the layout evolved with the manufacturer, the owners knew of the adjustments, and the components remained fit for purpose.

[20] The hearing evidence resolved the issue. The Board accepts Mr Pollard communicated the proposed placement and adjustments, sought assurance from the truss manufacturer, and involved both the home owners and the designer. It was not a case of an unexplained or concealed structural alteration.

[21] The Council building control officer, Mr [OMITTED], accepted the placement and adjustments were within the usual range of adjustments that can arise as a build progresses. The Board accepts that evidence. The adjustments responded to the owners' requirements and produced a more economical and aesthetically satisfactory result than the unaltered arrangement.

[22] The Board is not satisfied the trusses were defectively placed or altered, that their structural performance was compromised, or that Mr Pollard carried out or supervised work contrary to the consent. The truss allegations do not establish either section 317(1)(b) or section 317(1)(d).

Was the framing defective or outside tolerance?

[23] The Council report stated framing was not plumb in some areas. At the hearing, the evidence was directed to a section about two meters long. No reliable measurement showed that it was outside an accepted construction tolerance.

[24] The framing was incomplete. It was measured after a period in which temporary bracing, pressure from adjacent incomplete work, ordinary movement in timber, or the plumbing-up still required before completion could have affected its position. The evidence did not isolate any of those possibilities or establish the condition when Mr Pollard left.

[25] The Board is therefore not satisfied there was a defect that would have remained when the build was completed. Nor is it satisfied that any act or omission by Mr Pollard caused the reported condition. On any view, the matter does not approach the disciplinary threshold.

Did the midfloor alignment establish a defect?

[26] The 13 March report also recorded the midfloor did not run parallel with the walls below. The later Council report of 24 April stated the exterior wall was in line with the midfloor and the exterior building-line walls could be completed.

[27] Having heard the evidence about the relevant data and construction stage, the Board finds the alignment required no more than the ordinary lining-up that occurs as a build progresses. The evidence does not establish defective or non-compliant work by Mr Pollard.

What did the wall and joinery evidence establish?

[28] The inspection report referred to packing needed at the lounge stacker door and changes to joinery on the western wall. It asked for minor variation plans and a packing and bracing detail.

[29] The Board accepts the wall was constructed in accordance with the design then available. The adjustments became necessary because joinery requirements changed later in the build, including the move to joinery with different dimensions.

[30] The Board is not satisfied that any change required more than a minor variation. There were appropriate communications about the changes and the process for dealing with them. This was a complicated build in which minor issues arose that could be, and were, addressed as

the work progressed. The evidence also did not establish the wall thickness departed from the consent or amounted to defective work.

[31] The later Council records show the previous requirements were ultimately completed and accepted. That later outcome is not, by itself, proof Mr Pollard's earlier work complied. It is, however, consistent with the evidence the matters were ordinary, correctable construction issues rather than disciplinary failings.

Did any technical matters cross the disciplinary threshold?

[32] No. The evidence did not establish a reliable factual foundation for a defect attributable to Mr Pollard. It did not establish work that departed from the building consent, or a failure by Mr Pollard to use an appropriate change process.

[33] Even if any of the small alignment, adjustments or finishing matters had remained at completion, the evidence does not establish they would have been more than ordinary and potentially correctable construction matters. They do not approach the disciplinary threshold. The Board finds neither negligence nor incompetence.

[34] The charge under section 317(1)(b) is not established. The charge under section 317(1)(d) is also not established.

Was the record of work provided?

[35] Mr Pollard's restricted building work ended when he left the project on 19 February 2025. He signed a record of work on 4 March 2025. It identified the partial foundation, framing and roof-truss work that he had supervised and included marked plans.

[36] The Board accepts the record of work was uploaded to the Council portal on 4 March 2025 and sent to the owners on 5 March 2025. That was prompt provision after Mr Pollard's restricted building work came to an end.

[37] The Board has considered the later Council correspondence. A customer-service search in March 2026 did not find a record of work from Mr Pollard. In June 2026, however, the Council confirmed required documents had been received and explained five documents sat without a status in a section already signed off by the inspector.

[38] At the hearing, the Pollards gave direct evidence about the upload. As the Council building control officer, Mr [OMITTED] was able to explain how a Council portal or indexing error could prevent a properly uploaded document from being correctly recorded or later retrieved. His evidence supported their account, and the Board accepts it. The absence of the document from the later customer-service search does not displace the direct evidence of provision.

[39] The Board finds Mr Pollard provided the record of work to both required recipients. There was no failure, so the question of a good reason does not arise. The charge under section 317(1)(da)(ii) is not established.

What orders should the Board make?

[40] The Board dismisses all three charges. Because no ground in section 317 is established, section 318 does not apply. There is no disciplinary penalty, no costs order and no additional publication order.

Right of Appeal

[41] The right to appeal Board decisions is provided for in section 330(2) of the Act.

Signed and dated this 3rd day of November 2026.



G Pearson
Presiding Member