Before the Building Practitioners Board	BPB Complaint No. 26976
Licensed Building Practitioner:	Kevin David Crawford (the Respondent)
Licence Number:	BP 107181
Licence:	Roofing: Profiled Metal Roof and/or Wall Cladding; Metal Tile Roof
Complaint or Board Inquiry	Complaint
Hearing Location	Remote
Hearing Date	27 August 2026
Decision Date	5 November 2026

Board Members:
G Pearson (Presiding Member)
F Pearson-Green (Member)
G Anderson (Member)

DECISION OF THE BOARD

Introduction

[1] This proceeding concerns roofing and metal wall-cladding work at [OMITTED], under building consent [OMITTED]. Kevin Crawford is licensed in the roofing class. His company was engaged through Bunnings (a building materials supplier) to install the roofing, fascia, spouting, metal wall cladding and associated flashings. Mr Crawford did not physically install the items in issue, but he accepted responsibility as the licensed building practitioner who supervised that restricted building work.

[2] The Notice of Proceeding identified four particulars under sections 317(1)(b) and 317(1)(d) of the Building Act 2004. At the hearing, those particulars were addressed as two practical areas: the roof ventilation and flashings, including the change process; and the metal cladding and associated window and door flashings, including the corresponding building consent change process.

[3] There were errors in both areas. The material area of the roof was initially fitted, at its apex, with a conventional flashing that did not provide the ventilation contemplated by the design. Some of the cladding flashings were also incorrect at an intermediate stage. The disciplinary

question is not, however, whether each item was correct at every stage. It is whether Mr Crawford's personal conduct or supervision fell seriously short of the standards expected of an LBP. The Board finds that it did not.

[4] **The Board must answer the following questions:**

a) What work was Mr Crawford personally responsible for, and what work was controlled or carried out by others?

b) Did his supervision of the roof work, or the process followed when that work was corrected, justify a disciplinary finding under section 317(1)(b) or (d)?

c) Did his supervision of the metal cladding and window and door flashing interfaces, or the related change process, justify such a finding?

d) What orders should follow?

[5] **The Board's answers are:**

a) **Responsibility.** Mr Crawford was responsible for supervising the roofing, metal wall cladding and associated flashings within his company's scope. He was not the designer, overall project manager, or installer of the windows and doors. Those distinctions do not remove his supervisory duties, but they are important to deciding what conduct can fairly be attributed to him.

b) **Roof.** The initial non-ventilated flashing was an error, and Mr Crawford should have identified the mismatch between the building consent documents and the supplied materials earlier. In the context of deficient and inconsistent design information, an incorrect product supply, indirect communications, and work that remained subject to correction, the shortcoming did not reach the disciplinary threshold.

c) **Cladding.** Some interim flashing work was incorrect, but the building consent details could not be built in the sequence shown, the adjoining window and door work was being carried out by others, and the work was neither complete nor left as completed non-compliant work. Mr Crawford engaged in the process by which the details were corrected. The threshold was not reached.

d) **Result.** Mr Crawford has not committed a disciplinary offence under section 317(1)(b) or (d). The complaint is dismissed. No order as to penalty, costs or publication is made.

The proceeding

[6] [OMITTED] made the complaint. The Board's Notice of Proceeding dated 22 June 2026 required it to investigate whether Mr Crawford had carried out or supervised building work negligently or incompetently, contrary to section 317(1)(b), or had carried out or supervised work that did not comply with the building consent, contrary to section 317(1)(d) (HF 1768-1771).

[7] The notified particulars were whether Mr Crawford:

a) complied with the building consent requirements for ventilated barge and apron flashings and vents shown on drawings 204 and 501;

b) followed an acceptable consent-change process before changes were made to those roof flashings;

c) complied with the consent requirements for window and door flashings and back-flashings shown on drawings 504 and 506; and

d) followed an acceptable consent-change process before changes were made to the window and door flashings.

[8] The hearing took place remotely on 27 August 2026. Mr Crawford appeared and gave evidence. Ms [OMITTED] and Mr [OMITTED] appeared as counsel for him. The Board also heard from Mr [OMITTED]; [OMITTED], a Council building control officer; [OMITTED], a carpenter LBP; and [OMITTED], technical manager of [OMITTED]. The oral evidence was important because it explained the allocation of work, chain of communication, the condition of the work as it progressed, including at inspections, and the practical difficulties arising from the design and construction sequence.

[9] The Board considered the hearing file, the approved and amended drawings, the inspection records, the contemporaneous communications, the records of work, the parties' written material, and the oral evidence and submissions. Written submissions were treated as submissions unless their factual content was supported by evidence or adopted by a witness.

[10] The evidence did not require the Board to make an adverse credibility finding. There was some uncertainty about the precise sequence of individual remedial steps. The material points were nevertheless clear: both areas involved incomplete work, the design and supply arrangements contributed to the errors, and the issues were addressed before the relevant work was accepted as complete.

The legal framework

[11] The Board must be satisfied on the balance of probabilities that a ground for discipline is established. The seriousness of an allegation informs the cogency of the evidence required to establish it: *Z v Dental Complaints Assessment Committee* [2009] 1 NZLR 1. The respondent does not bear an obligation to disprove the charge.

[12] Section 317(1)(b) distinguishes negligence from incompetence. Negligence concerns a serious lack of the care reasonably expected of practitioners holding the same class of licence. Incompetence concerns a serious lack of ability, knowledge or skill. *Heslop v Building Practitioners Board* [2018] NZDC 21096 at [48] - [54] confirms that a mistake, including one that requires rectification, does not by itself establish a disciplinary offence.

[13] Section 317(1)(d) concerns building work that does not comply with a building consent. A departure need not be deliberate or independently negligent. The Board must nevertheless assess the seriousness of the conduct before making a disciplinary finding. Professional discipline is reserved for conduct that falls seriously short of acceptable standards, rather than mere inadvertence, error or oversight.

[14] Later correction, a variation, an amendment or a passed inspection does not erase what occurred at an earlier stage. Those later events, however, are relevant to whether the practitioner recognised the issue in a timely way, responded appropriately, and whether non-compliant work was left in place as completed. An interim defect must not be treated as an accepted finished product without examining the construction stage and the practitioner's response; some interim defects can nevertheless amount to negligence or incompetence. There are issues of degree to be weighed.

[15] Supervision requires control, direction and oversight sufficient to ensure that work is competently performed and complies with the consent. Its adequacy is assessed in context, including the complexity of the work, the competence of those undertaking it, the information available to the supervisor, the checks undertaken, and the response when a problem emerges.

Who was responsible for the project and the notified work?

[16] Mr [OMITTED] was the owner and, in practical terms, the project manager. He supplied the plans to Bunnings, reviewed and accepted quotes, placed material orders, coordinated the project and its participants, and was involved in the installation of the windows and doors. The Board accepts that he had substantial building experience. At the relevant time he was employed as a foreman managing building projects and carrying out physical construction work. His competence to manage the project was not in issue.

[17] Although Mr [OMITTED] managed and worked on the build, the consent was not being carried out under the owner-builder exemption. Restricted building work therefore had to be carried out or supervised by an appropriately licensed practitioner. Mr [OMITTED] arranged for his son-in-law, who was an LBP, to undertake or supervise restricted building work outside Mr Crawford's scope, including the work associated with fitting the windows and doors.

[18] Bunnings was more than a passive supplier in the contractual chain. Its team received the plans, assessed the products required, costed the package, supplied the materials, and engaged Canterbury Roofing as a subcontractor to carry out the installation. Mr Crawford's company did not contract directly with Mr [OMITTED] for the notified work.

[19] The communication arrangements reflected that structure. When an issue arose, Mr Crawford did not have a simple direct line to the designer. Communications could pass through Bunnings, Mr [OMITTED] and then the designer. That increased the possibility of delay or misunderstanding, particularly where the drawings and product list required clarification.

[20] Mr Crawford did not personally install the roof or cladding components in issue. His records of work recorded supervision of the long-run metal roof and associated flashings, and of the metal wall cladding and associated flashings. The Board accepts that he retained personal disciplinary responsibility for the adequacy of that supervision.

[21] Mr Crawford was not responsible for the architectural design, overall project management, or the physical installation of the windows and doors. He was responsible for examining the consent documents relevant to his work, confirming that the materials supplied were suitable, directing and checking his installers, identifying discrepancies, and ensuring that work within his scope was not left as completed work unless it was compliant.

[22] The Board records those allocations to identify Mr Crawford's own conduct, not to criticise Mr [OMITTED], Bunnings, the designer or the other LBP. None of their roles relieved Mr Crawford of his duties. They do, however, form part of the setting in which the adequacy and sufficiency of his supervision must be assessed.

Did the roof work justify disciplinary action?

[23] The issue concerned the ventilated details at the upper junction of the skillion roof over bedroom 3. Drawing 204 called for a ventilated apron flashing arrangement. Drawing 501 included ventilated and conventional barge details, while drawing 502 showed a standard parallel apron flashing detail. The Board accepts that the building consent documents required ventilation, but did not present that requirement with satisfactory consistency or construction details.

[24] The evidence established that a conventional flashing was supplied and initially installed at the apex or upper junction. It did not provide the required ventilation per the design. The

proprietary ventilated product required for that arrangement was not included in the supply. The initial installation was an error.

[25] Mr Crawford should have identified the problem earlier. Before installation began, a careful review of the building consent documentation and the product list should have exposed the need to resolve the inconsistent details and confirm that the correct proprietary component had been supplied. The involvement of Bunnings' estimating and supply team was not a substitute for the LBP's own review.

[26] That criticism must be kept in proportion. The drawings lacked a coherent detailing, the wrong type of flashing had been supplied, and the communication pathway to the designer was indirect. The evidence did not show that Mr Crawford lacked the ability or technical understanding to recognise and address the ventilation requirement. It showed that the mismatch was detected later than it should have been.

[27] Once the issue was engaged with, there was a process of correction. An initial remedial step was not satisfactory and was itself replaced or superseded. The evidence was not precise about every step, but the essential point was clear: the work remained incomplete, was not accepted as finished, and was subject to further design, variation[1] and remedial work. Council granted a minor variation on 25 March 2025 and the final inspection passed on 8 April 2025.

[28] The Board does not treat the later variation or passed inspection as retrospectively expunging the original incorrect installation. Their significance is that Mr Crawford did not leave the error as completed work. He recognised and engaged with the issue, and the work was taken through a process that led to an acceptable completed outcome.

[29] For section 317(1)(b), the failure to identify the mismatch at the outset was a supervisory shortcoming. In the circumstances, it was an isolated error of care rather than a serious lack of care. Nor did it demonstrate a serious lack of ability, knowledge or skill. The Board is not satisfied that Mr Crawford was negligent or incompetent.

[30] For section 317(1)(d), the original arrangement did not implement the ventilation indicated by the consent, and the formal change process occurred later. The Board nevertheless finds that the conduct did not fall seriously short of expected standards. The ambiguity of the documents, the supply error, the incomplete status of the work, and Mr Crawford's participation in correction ensure it was below the disciplinary threshold.

[31] Mr Crawford should take a practical lesson from the issue. On future consented work, he should scope the approved building consent at the outset, reconcile the product list against them, and ensure that discrepancies are resolved before installation. Where practicable, he

[1] It was not a formal consent variation, though the consented documents did receive some post-build annotations in the course of another variation.

should insist on a direct line of communication with the designer or other professional responsible for the relevant specification.

Did the cladding and flashing work justify disciplinary action?

[32] The second area concerned the metal cladding and the flashings and back-flashings at the windows and doors. Original sheet 504 showed the relevant head, jamb and sill details, and sheet 506 dealt with garage-door details. The evidence at the hearing established that material aspects of the window and cladding interface could not be assembled in the sequence contemplated by the drawings.

[33] The difficulty was not solely within Mr Crawford's work. Mr [OMITTED], under the supervision of his son-in-law as the relevant LBP, fitted the windows and doors. Mr Crawford's installers were responsible for the metal cladding and associated flashings. The components had to integrate, but they were being installed by different participants under divided supervision.

[34] The 4 March 2024 inspection recorded that the sill tray, head and jamb flashings did not accord with sheet 504 and identified further requirements for the back-flashings. On 18 April 2024, a changed cladding flashing was recorded as being in place, while revised details were still awaiting approval. Amended details were approved in May 2024, and the 1 July 2024 inspection recorded completion to the amended detail and a spot-check of a hemmed back-flashing.

[35] The Board accepts that some of the interim flashing work supervised by Mr Crawford was incorrect and did not match the original consented detail. That was a shortcoming. It does not follow, without more, that his supervision met the statutory threshold for discipline.

[36] At that stage the work was incomplete. The installation of the windows and doors, for which another LBP was responsible, had not been completed in a manner that allowed the entire interface to be considered finished work. The incorrect flashings were not left in place as a completed and accepted installation. They were dealt with while the design and construction sequence were being resolved.

[37] The deficient consent detail, the impracticable sequence, the divided responsibility for adjoining components, and the indirect communications all contributed. They did not excuse Mr Crawford from checking the detail. An experienced supervising LBP should identify that a consented detail cannot be built as drawn, stop the affected work, and obtain a coherent approved detail before changed work proceeds.

[38] The evidence nevertheless showed that Mr Crawford inspected, supervised and engaged with the process needed to obtain a satisfactory result. It did not establish that he was unable to understand or rectify the technical problem, or that he abandoned incorrect work once the

problem became apparent. The Board is therefore not satisfied that his conduct exhibited the serious lack of care or competence required by section 317(1)(b).

[39] The interim work also differed from the consented detail before the amended detail was formally approved. Later approval does not erase that sequence. But the departure arose within a live design clarification and an incomplete multi-trade installation; it was identified and corrected rather than left as finished work. Assessed as a whole, the conduct did not fall seriously short of expected standards for the purpose of section 317(1)(d).

[40] The same practical guidance applies. Mr Crawford should examine the approved building consent documentation closely before starting work, allow for the interfaces and sequencing of other trades, and remain alert to the possibility that an approved drawing may not be buildable. If it is not, the solution is clarification and approval before the affected installation proceeds.

Why does the conduct not cross the disciplinary threshold?

[41] The Board's conclusion does not mean that the initial work was satisfactory. It was not. Nor does it suggest that an LBP may rely on a supplier, designer, owner or another LBP instead of carrying out an independent supervisory review. The findings distinguish between shortcomings that require correction and shortcomings serious enough to justify professional discipline.

[42] The following matters are important when the conduct is assessed as a whole:

a) the building consent drawings contained inconsistencies and, at the cladding interfaces, a sequence that could not be built as shown;

b) the roofing materials were specified and supplied through Bunnings, and the required proprietary ventilated component was not supplied initially;

c) communications and responsibility were divided among Bunnings, the owner and project manager, the designer, other LBPs and Mr Crawford;

d) the conditions relied on were conditions of incomplete work, not defective work left and accepted as the finished installation;

e) Mr Crawford recognised and engaged with the issues, and the work was corrected through the ongoing design, consent and inspection processes; and

f) the evidence did not establish a pattern of deficient supervision or any inability to understand and resolve the technical issues.

[43] Against those matters, Mr Crawford should have examined the consent documentation and product list more closely at the beginning and should have escalated the discrepancies earlier. The Board has taken that criticism into account. It concerns the timing and rigour of his early checks. It does not establish that his supervision, viewed over the course of the incomplete and remedied work, seriously lacked care or competence.

[44] The Board finds that Mr Crawford has not carried out or supervised building work in a negligent or incompetent manner. Section 317(1)(b) is not established.

[45] The Board also finds that the proved departures from the building consent and the timing of the change processes did not reach the seriousness required for a disciplinary finding. Section 317(1)(d) is not established. We observe that, in some respects, the building consent documentation failed to disclose consistently what was specified, and one option was the manufacturer's installation specification, with which the build complied.

What orders should the Board make?

[46] Mr Crawford has not committed a disciplinary offence. The complaint is dismissed. Because no ground under section 317 has been established, the Board makes no order under section 318 as to penalty or costs and makes no publication order. No disciplinary action is to be recorded against Mr Crawford in the Register of Licensed Building Practitioners.

[47] The Board's observations about early scoping, product-list checks, construction sequencing and direct professional communication are guidance for future practice. They are not disciplinary orders.

Signed and dated this 5th day of November 2026.



G Pearson
Presiding Member