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Typical Example of Surveyor Duties When Acting for the Building Owner

What will a Building Surveyor typically do?

Review Building Proposals and check if the act is applicable

Which part is applicable?

- Section 1: Building on the Boundary
  - On behalf of the Building Owner serve a Notice on Adjoining Owner stating your proposed intention. Give one months notice
- Section 2: Works affecting the Party Wall
  - On behalf of the Building Owner serve a Notice on Adjoining Owner stating your proposed intention. Give two months notice
- Section 6: Work's within 3m and 6m
  - On behalf of the Building Owner serve a Notice on Adjoining Owner stating your proposed intention. Give one months notice

Does the Adjoining Owner respond to notice within 14 days

- **No** → Request in writing that they appoint a Surveyor within 10 days
  - Surveyor appointed within 10 days
    - **Yes** → Surveyors appointed, proceed with the requirements of the Act
    - **No** → Appoint a Surveyor on their behalf → Surveyors appointed, proceed with the requirements of the Act
  - Does the Adjoining Owners Surveyor respond to correspondent?
    - **Yes** → Select a Third Surveyor → Prepare a Schedule of Condition to record the pre-works condition → Proceed with the Award and serve on the Building Owner → Inform Building Owner of the 14 day period in which to appeal the Award in the County Court → Complete further investigation to review the work in relation to the award and also the Adjoining Owners property against the Schedule of Condition
    - **No** → The Adjoining Owner Surveyor fails to act. Give a Notice that unless they reply within 10 days you will act Ex-Parte on the matter → No reply given. Consult with Building Owner and write to the Third Surveyor with detail, who will resolve this matter
- **Yes** → Does the Adjoining Owner agree To the works
  - **No** → Adjoining Owner does not agree to the works. Obtain letter of appointment and notify Adjoining Owner requesting name of their appointed Surveyor, or agreement to the agreed Surveyor
    - Does Adjoining Owner agree to appointment of an agreed Surveyor
      - **No** → The Adjoining Owner will have the right to appoint a Surveyor to act for them → Surveyors appointed, proceed with the requirements of the Act
      - **Yes** → Both the Building Owner and the Adjoining Owner can appoint the same Surveyor to act jointly called the Agreed Surveyor → The Surveyor is appointed by both Owners as the Agreed Surveyor → Prepare a Schedule of Condition to record the pre-works condition
  - **Yes** → Adjoining Owner agrees to the work raising, no objections. Obtain agreement in writing. It is often advisable to record a Schedule of Condition to confirm the Adjoining Owners property condition prior to starting the work. A Party Wall Surveyor can prepare this document and return to re-inspect after work to help avoid disputes → Proceed with the works