

Electrical compliance tips for buyers

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In terms of the law no property may be transferred without a valid certificate of compliance (CoC) for the electrical installation. Certificates of compliance, which must be issued by a registered person, are only valid for two years and also need to be re-issued if any work has been done on the electrical installation in the interim.

The Deed of Sale contract usually makes the seller responsible for supplying prior to transfer, at their expense, an electrical CoC, together with a "beetle" pest-free certificate, a gas compliance certificate (if there is a gas installation) and, in the case of [Cape Town properties](#), a plumbing CoC also.

However, John Graham, CEO of the property inspection company [HouseCheck](#), says that these CoC's - especially the electrical CoC - are sometimes "not worth the paper they are written on". This is because there is no routine verification process of the CoC to establish, firstly the credentials of the person who actually did the inspection and remedial work and, secondly to audit whether the remedial work after the CoC has been issued is up to the minimum legal standards.

According to Peter Smuts of the [Western Cape](#) Approved Electrical Inspection Authority (WCAEIA) "bakkie contractors" are responsible for a growing number of CoCs being issued for electrical installations which have not been personally and adequately checked by properly licensed electricians.

The problem for the buyer arises because the law requires owners of properties to have a valid electrical CoC on hand at all times. This is because faulty electrical installations are life endangering and are also the cause of most house fires.

If the house seller, knowingly or unknowingly, has obtained an electrical CoC for a defective installation then the responsibility for this defective installation passes to the buyer on transfer. If the buyer then resells the house a few years later he may then have an expensive shock when a properly qualified electrician, called in to issue the new CoC condemns sections of the electrical installation.

Graham says that HouseCheck is a "general practitioner" and during their inspections of the physical condition of a house, they will comment on observable problems with the electrical installation - for instance damaged equipment. But HouseCheck does not test the installation for safety and legality. This is left to the "specialist", the licensed electrician who must issue a CoC.

Graham says that because many electrical CoCs are fraudulent the most prudent course for a home buyer is to include in the offer to purchase a requirement that a "verified" electrical CoC must be provided by the seller prior to transfer. This means that the local provincial electrical inspection authority will be asked to audit the CoC. This involves a re-check of the entire installation by the authority.

Graham says that if the audit reveals problems, then the authority will require the electrician who issued the CoC to return and sort out the faults at the contractor's expense. The re-inspection by the authority, which must follow after the faults have been rectified, is for the contractor's account.

In cases of fraud, criminal prosecution of the "electrician" can also follow. In extreme cases the authority can also require the municipality to shut off the power supply to the house until the faults have been corrected.

The costs of an electrical CoC audit are time-based; Smuts says an audit of an average house is around R1500.

Graham says that in this climate buyers would be wise to insist on a verified CoC in order to protect themselves. They should also ensure that once the transfer has gone through the conveyancing attorney hands to them the original electrical certificate of compliance. Property owners have a legal responsibility to be in possession of an electrical CoC and must be able to produce it on demand.

Graham points out that under the Consumer Protection Act estate agents can also be held liable for faulty electrical installations and defective CoCs. In many cases estate agents, as a service to sellers, appoint the electrician to do the CoC. This is sometimes also part of a package deal where the same company provides the electrical CoC and a pest control clearance. Graham says it is often common practice for estate agents to receive a commission for referring this work.

Graham says that the best way for buyers to protect themselves is to ensure that the



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property is thoroughly inspected prior to purchase and that all inspections and certification are "squeaky clean" and are carried out by properly qualified, objective professionals who are not beholden to the estate agent or to the seller.

For more information regarding home inspections, visit the [HouseCheck](#) website.

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