

How Emerald Ritter can help You make the right choice.

What can I do and happens if MY neighbour [Building Owner] Fails to comply with the Party Wall etc. Act (PWA)?

The Building Owner obligations under the PWA are statutory bound. Should any Building Owner undertake works without complying with obligations of the Act, they are considered to be in breach of such duty, and consequently will not be covered under the protection of the Act, including:

1. Damage or loss sustained to an adjoining owners property as a consequence of works carried out without first giving notice of the intended works
2. Not officially obtaining consent or obtaining a valid Award is actionable as a private nuisance and;
3. They may also be liable for trespass to the Adjoining Owners land e.g. foundations to a new party fence wall built on the Adjoining Owners side of the boundary line.

As an Adjoining Owner your rights are YOU can seek civil enforcement through an injunction to stop the works from commencing or continuing should the Building Owner refuse to follow the correct Party Wall Act procedures.

In such cases, injunctions are usually granted in favour of the Adjoining Owner as the Building Owner is in breach.

Where the Building Owner works have already reached completion, the Adjoining Owner may seek compensation against the Building Owner on the basis of their failure to serve notice of the works.

Contact Us and ask for NEIL

T: 07410 076 376

E: neil@emeraldrittersurveyors.co.uk