

Typlex polybutylene pipes in WA homes

Advice for Real Estate Agents, Settlement Agents, and Valuers.

Typlex pipes were manufactured by Iplex Pipelines Australia Pty Ltd. The Typlex pipes were installed in approximately 12,000 to 15,000 WA homes constructed or renovated between mid-2017 and mid-2022.

More information on the issue is available from **Building and Energy**.

Valuations and sales may be impacted where Typlex 1050 pipes are in the property.

- 1. Homes that are likely to be impacted by Typlex pipes.
- The Typlex pipes were installed in approximately 12,000 to 15,000 WA homes constructed or renovated between mid-2017 and mid-2022.
- Several building companies used the product.
- Some builders are listed on the Industry Response <u>website</u>. Other builders include BGC Housing Group (BGC), which has six registered building contractor entities, including:
 - BGC (Australia) Pty Ltd;
 - BGC Construction Pty Ltd;
 - BGC Modular Pty Ltd;
 - BGC Residential Pty Ltd;
 - J Corp Pty Ltd; and
 - Ventura Home Group Pty Ltd.

2. Important questions to ask the vendor

If vendor is unsure whether the property has Typlex pipes

- Do you know when your home was built and by which building company?
- Was your home renovated between mid-2017 and mid-2022 and did the work involve plumbing re-piping work?
- Have you had plumbing failures or significant flooding events in the home, or visually detected leaks from burst plumbing pipes that may present as water stains appearing on walls, ceilings and floors, or detected the sound of water leaking?
- Have you had any abnormal increase in water usage for your home, which may indicate a water leak or plumbing failure that has gone undetected?

If the property has Typlex pipes

- How many plumbing failures (water leaks) have occurred?
- What action has been taken so far?
- Has a leak detection unit been installed in the property?
- Is your builder a participant in the Industry Response? (see below)
- Have you lodged a building services complaint with Building and Energy (<u>Building</u> <u>Commissioner</u>).
- Has your builder refused to undertake any remediation work related to the Typlex pipes?

3. Duty of disclosure to prospective purchasers

- If an agent knows there are Typlex pipes this fact must be disclosed - if the agent does not know but it is possible given the age of the house, the agent should disclose the possibility.
- The agent should tell prospective purchasers about the industry response and how to access it.
- More guidance on <u>ascertaining and</u> <u>communicating material facts to purchases</u> is available on the Consumer Protection website

4. How would any new owner (subsequent owners) access the remedial works?

Current and future owners of properties with Typlex pipes have two pathways to seek remediation, depending on which building contractor installed the pipes.

Industry Response

Some builders are participating in an <u>Industry</u> <u>Response</u> negotiated by Iplex, builders and the State Government. <u>Participating builders</u> can access funds to provide a practical and proportionate remediation program at no cost to the homeowner.

- Subsequent owners/new owners can access a remediation program based on the number of Typlex 1050 leaks at a home:
 - At the first plumbing failure, the piping and associated property damage will be repaired and a replacement of the pipes in the top floor ceiling space will take place.
 - At the second plumbing failure, that pipe and associated property damage will be repaired, and a zone re-pipe will be required around that leak (note: a zone is considered all pipes within the room or zone that leaked).
 - At the third plumbing failure, that pipe and associated property damage will be repaired, and homeowners will be offered a choice of another zone re-pipe or a full home re-pipe.
 - At subsequent plumbing failures, if homeowners have not had a full home re-pipe, the pipe and associated property damage will be repaired until a full home re-pipe can be carried out.
- Funding to cover the costs of alternative accommodation or other arrangements needed where homeowners have to move out during full pipe replacement will also be offered.
- Homeowners whose builder is participating in the Industry Response (Participating Builder), can plan directly with that builder to receive the staged remediation programme. Under the Industry Response this is known as the agreed work programme.

Building complaint

If a builder is not participating in the Industry Response, homeowners (including new and subsequent owners) can pursue a similar remedy by lodging a building service complaint with the <u>Building Commissioner</u>.

The time limit for making a complaint about Typlex pipes has been extended from six years to 15 years.

Free leak detectors

All WA homes with Typlex pipes are eligible for the free supply and installation of a <u>leak</u> <u>detection unit</u>, which will limit property damage by shutting off the water when a leak occurs.

Typlex pipes were only installed in WA homes from mid-2017. If the home was built or renovated prior to this, or has a different type of pipe installed, the remedies described in this document do not apply. Read the <u>factsheet</u> on remedies for plumbing failures on other pipes.

For more information

Information and frequently asked questions Industry response information List of participating builders

Department of Energy, Mines, Industry Regulation and Safety

www.demirs.wa.gov.au

Regional Offices:

Goldfields/Esperance	(08) 9021 9494
Great Southern	(08) 9842 8366
Kimberley	(08) 9191 8400
Mid West	(08) 9920 9800
North West	(08) 9185 0900
South West	(08) 9722 2888

Consumer Protection Division

Gordon Stephenson House Level 2/140 William Street Perth Western Australia 6000 Locked Bag 100, East Perth WA 6892 **Call:** 1300 30 40 54

Email: consumer@demirs.wa.gov.au

www.consumerprotection.wa.gov.au



Disclaimer: The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

This publication is available in other formats on request.

National Relay Service: 13 36 77 Translating and Interpreting Service (TIS): 13 14 50