



# European Construction Sector Observatory

## Policy measure fact sheet

## Netherlands

### Opleverdossier (As-Built File)

### Thematic Objectives 1 & 3

October 2016

<b>Implementing body:</b>	Opleverdossier (As-Built File) measure: <b>Ministerie van Binnenlandse Zaken en Koninkrijksrelaties (Ministry of Internal Affairs).</b> Dutch Building File measure (earlier proposal): Ministerie van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer (VROM) (Ministry of Housing, Spatial Planning and the Environment) – superseded by the Ministerie van Infrastructuur en Milieu (Ministry of Infrastructure and the Environment)
<b>Key features &amp; objectives:</b>	An Opleverdossier ('As-Built File', previously known as the 'Dutch Building File') is a dossier of information on a residential property that provides insight into the technical quality of that property or building, as well as guidance on maintenance.
<b>Implementation date:</b>	April 2016 – Introduced in the Building Quality Law <sup>1</sup> 2018 – Full implementation envisaged
<b>Targeted beneficiaries:</b>	Homeowners, home buyers / consumers, building managers, estate agents, local authorities.
<b>Targeted sub-sectors:</b>	Construction and trades people, property / real estate, building / facilities management, Energy / renewables, legal, insurance.
<b>Budget (EUR):</b>	n/a

### In a nutshell

The Dutch housing market has been shaped over recent decades by policy interventions and incentives as part of drive to deliver higher quality affordable housing for those on lower incomes and to stimulate greater levels of homeownership. <sup>2</sup> According to figures published in 2015, owner-occupiers now occupy 59% of 7.4 million Dutch homes. <sup>3</sup> This percentage is up from 56% in 2006 <sup>4</sup> and 42% in 1980. <sup>5</sup> Over recent decades, the Ministry of Housing, Spatial Planning and the Environment (VROM), and the Ministry of Infrastructure and the Environment which superseded

it, have subsidised and implemented policies <sup>6</sup> (e.g.: Building Decree, Housing Law, Rent Law, Guarantee Certificate) to improve the quality of the private housing stock. Market parties and owner-occupiers have also invested in the private housing stock. This has led to improvements in average structural quality.

Improvements to the quality of the Dutch housing stock have long been an important aim of public policies and incentives. Back in 2002, the Ministry of Housing highlighted the need to formulate policies to raise the quality of the housing stock in Dutch cities to meet the requirements of urban households and building standards, for existing housing as well as new constructions. It was also the aim to encourage homeowners to take responsibility for improving their own homes. <sup>7</sup>

One policy measure that was intended to stimulate and support improvements in housing quality was the Dutch Building File proposal. The purpose of the building file was to describe the quality condition of buildings and functions as a maintenance manual. The Dutch Building File proposal was intended to be developed on a much broader scale than other similar initiatives in other EU countries, such as Germany (Hausakte), Spain (Libro del Edificio) and the UK (Home Information Pack, HIP). The aim was that Dutch building files would not only inform homebuyers about potential dwellings, but would also provide local authorities with reliable information to inform the development of policies on housing quality and would guide homeowners on their responsibility for ensuring housing quality. <sup>8</sup>

The proposed measure attracted mixed opinions about its appropriateness and feasibility in practice, from all types of stakeholders, including the Dutch Government. Stakeholders recognised that there are clear benefits to having quick and easy access to important building information, both to keep a building up-to-date and to give greater transparency to the home buying and selling process. However, there were also concerns that the building file would be too extensive and complex and that it would place an unacceptable administrative and financial burden on

homeowners. These concerns led the Dutch Government to reject the Building File proposal in 2005.

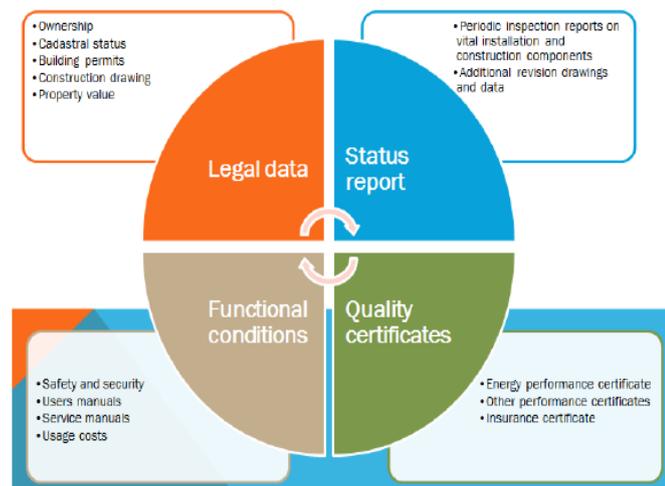
More recently, the measure has been given new life under a new name – Opleverdossier (As-Built File). The Ministry of Internal Affairs recently commissioned the marketing research agency, MARE Research, to assess the value and viability of an ‘As-Built File for the Construction Consumer’ (Opleverdossier voor de Bouwconsument).<sup>9</sup> The results of the study were published in December 2015, and the Opleverdossier measure was introduced into law as part of the new ‘Wet Kwaliteitsborging voor het Bouwen’ (Building Quality Law) in April 2016.<sup>10</sup>

## General description

The main objective of the building file, or Opleverdossier (‘As-Built File’), is to improve insight into the quality of residential buildings and properties. Many homeowners and consumers are not adequately equipped to assess the actual quality of a dwelling and may therefore have difficulty choosing among different dwellings or maintaining their dwellings.

Originally conceived with a strong focus on the energy performance requirements of the EPBD,<sup>11</sup> the building file is intended to make the housing market more transparent and to help each homeowner to fulfil their responsibility to maintain their dwelling, by creating better insight into housing quality and the requirements their dwelling has to meet, in the form of a maintenance manual. In addition, local authorities also lack insight into housing quality and need better information about their housing stock in order to develop specific policies concerning quality.

**Figure 1: Building File components**<sup>12</sup>



The building file applies to all residential buildings and properties. A residential property owner (homeowner) is responsible for ensuring that the residential building or property (e.g.: flat or house) that they own is properly maintained through periodic inspections of installations, major repairs and the building

structure. Sellers are required to make the building file available throughout the entire sales process, to give prospective buyers better insight into the quality of buildings. In addition, homeowners are required to submit copies of modified building files to local authorities following any inspections or relevant alterations, in order to keep the authorities’ insight into the condition of their housing stock up-to-date. Local authorities will then be able to base their building quality policy on this insight, and can then develop specific policies for dilapidated neighbourhoods. The building file will also serve as a basis for serving improvement notices to owners of dwellings that do not meet the requirements. In this case, the building file would also be an instrument supporting the improvement of housing quality (OPB,<sup>13</sup> 2001).<sup>14</sup>

Figure 2 shows the content of existing Opleverdossiers. Files contain information that relates to the completion of the building, building maintenance and servicing, moisture and ventilation, construction and maintenance of heat insulation, mechanical ventilation, electrical installation drawings, pipework and sewerage drawings, information on materials used, and other plans and drawings.

**Figure 2: Opleverdossier (As-Built File) – existing contents**

<sup>15</sup>

1. Na de oplevering	➤
2. Adviezen bij het in gebruik nemen	➤
3. Vocht en ventilatie	➤
4. Warmte isolatie, constructies en onderhoud	➤
5. Mechanische ventilatie (MV)	➤
6. Elektrische installatie - tekening	➤
7. Leidingwerk en riolering - tekening	➤
8. Materiaal – kleurenstaat & adressen	➤
9. Plattegrondtekeningen	➤

Looking forward, the qualitative study<sup>16</sup> commissioned by the Ministerie van Binnenlandse Zaken en Koninkrijksrelaties (Ministry of Internal Affairs) recommends that the Opleverdossier should contain the following required (R) and desirable (D) contents:

### General / Public Information

- Opinion on sale, housing, rent, hiring, (re)construction, new construction and existing buildings (R)
- Checklist advance / orientation, output stage and completion use phase (R)
- Tips (e.g.: Energy) (D)
- Information register (R)
- Legal and regulatory environment, land and property (R)
- Public / municipal licenses (R)

- Zoning (R)
- Neighbourhood information, waste authority (D)
- Inspiration (Pinterest) (D)
- Housing (e.g.: Funda) (D)

### Private Information

- Engineering drawings, technical inspections (R)
- Quotations (developers, agents, contractors, kitchen / sanitary ware) (R)
- HOA (D)
- Leasehold (D)
- Mortgage Information (Bank details, personal redemption, monthly, possibly second mortgage) (R)
- Manuals available on house devices (D)
- Warranty information (appointments with involved parties, guarantee certificates) (R)
- Insurance (home insurance, furniture, insurance about a building project) (R)
- Maintenance information: maintenance history, maintenance manual, contacts for maintenance, maintenance planning (R)
- Information about (re) construction project (Project-specific / in a new project): the parties concerned, appointments, schedule, script, drawings, any specific tenders (R)
- Colours and RAL (D)
- Other finances: current loans (personal loan) receipts, invoices, records, depreciation, etc. (D)
- Contracts: agreements with involved parties, right of withdrawal (R)
- Materials: types of materials, cost, use, service providers. (D)
- Intrusion (D)
- Subsidies (R)
- Energy (timeline, cost) (D) The exact composition of the final Opleverdossier should become clearer in the run up to full implementation in 2018.

## Achieved or expected results

Following the publication of the vision of the Dutch Overlegplatform bouwregelgeving (Consultation Platform Building Legislation, OPB),<sup>17</sup> research was conducted to determine which information would be necessary for the building file to create a proper image of the building quality of existing housing. A preliminary format was developed and was tested in practice. An experiment involving technical building inspections by independent inspectors was completed in 2004. The results were intended to be used to improve the final format. The results showed that the existing inspection methods were not appropriate to compose the Building File. A uniform inspection guideline was to be considered.

<sup>18</sup>

Despite having been proposed over a decade ago, the Dutch Building File proposal has not yet been fully implemented. The

original proposal was rejected by the Dutch Government in 2005 because it was deemed to be too burdensome. Nonetheless, some elements that were intended for inclusion in the Dutch Building File, such as energy-related certificates, have been introduced and they are aligned with the **Bouwbesluit** (Dutch Building Code or Building Decree) in the Netherlands.<sup>19</sup> The current version was enacted in 2012 and Chapter 5<sup>20</sup> is dedicated to: Technical building regulations in terms of energy efficiency and environmental construction.

The Bouwbesluit 2012 – Chapter 5, is set at national level and is a mandatory performance-based code that requires an energy frame calculation to establish the maximum allowed Energy Performance Coefficient (EPC) for residential and non-residential buildings.<sup>21</sup> The code addresses most thermal envelope<sup>22</sup> requirements and energy-using systems within the EPC calculation, including HVAC 5, hot water, lighting, bioclimatic design and renewable energy.

The Netherlands has ambitious goals in energy efficiency and the use of renewables for the building sector. The policy aims to tighten the energy performance coefficient to 0.4 in 2015, with the ultimate goal of 'zero energy' houses by 2020.

**Table 1: Energy Performance Coefficient in NL**<sup>23</sup>

Energy Performance Coefficient in NL							
Year	1996	2000	2005	2010	2011	2015	2020
Index	1.4	1.0	1.0	0.8	0.6	0.4	0.0

To support the enforcement of the Building Code and to align with EU building standards, the Netherlands created a building labelling scheme, as well as a framework for regular inspection and assessment of heating and cooling installations. The most commonly used certificates are:

- Energy Performance Certificates (EPCs);
- Positive labelling for buildings beyond the minimum level specified in the Building Code (BC);<sup>24</sup>
- Annual or bi-annual boiler inspections depending on the boiler type, size and age;
- Inspection of HVAC (heating, ventilation and air conditioning) systems. Introduced in the 2010 EPBD revision to maintain the correct adjustment in accordance with the product specification and ensure optimal performance from an environmental, safety and energy point of view;
- Energy offsets / Green certificates.

Energy Performance Certificates (EPCs)<sup>25</sup> came into force in the Netherlands on 1<sup>st</sup> January 2008.<sup>26</sup> In 2014, the Dutch Administration announced that all homeowners that did not possess an EPC for their home would receive a provisional EPC by post, based on information available to local authorities, such as the type of building, floor area and year of construction. Homeowners are encouraged to access an online facility ([www.energielabelvoorwoningen.nl](http://www.energielabelvoorwoningen.nl)) to update their provisional EPC with information on any energy saving home improvements that

have been done and to convert their provisional EPC into a definitive EPC with a 10-year validity period.<sup>27</sup>

In 2016, the latest evolution of the Dutch Building File – the Opleverdossier – has now passed into law and is due for implementation in 2018, though there remains some uncertainty about its final nature and dimensions.

## Perspectives and lessons learned

From a **government perspective**, there has been a long-running debate about the appropriateness of the Building File measure. The measure was initially proposed by the Dutch Consultation Platform Building Legislation (OPB), following and in response to a push by the Ministry of Housing to simplify regulations, reduce regulatory bottlenecks, strengthen the responsibility of homeowners for housing quality, and help homeowners to maintain their property.<sup>28</sup> In a letter<sup>29</sup> to the President of the House of Representatives in 2005, the Minister of Housing, Spatial Planning and the Environment reported that he had concluded to a committee meeting that it was not appropriate to continue to proceed with the Building File. The Minister considered an ICT solution to be a better use of resources and a more effective solution that would enable documents to be linked and accessed more easily and more quickly.<sup>30</sup> The latest evolution of the building file measure – the Opleverdossier – is based on a more flexible approach to building files, whereby construction consumers have more control on its composition, according to needs. This new approach has enabled the measure to be passed into law.

From an **industry perspective**, support for the Building File proposal appears to be mixed. During a stakeholder consultation run in 2004, criticisms were raised about the wide scope of the proposal and stakeholders voiced their concern that the mandatory introduction of building files would increase the administrative and financial burden on homeowners.<sup>31</sup>

Other industry views on building files are expressed by Gebouwinzicht (Building Understanding),<sup>32</sup> an organisation that provides **expert advice on sustainable buildings and building management**. Gebouwinzicht explains that there are three key reasons<sup>33</sup> why a building file is important.

**Reason 1: A good building file can save you time and money.** The numbers range from 10% to even 30% in operating costs (re: building management). These potential savings figures are put forward by a Senior Cost Engineer at Sodexo,<sup>34</sup> a provider of specialist catering, life support and remote site facilities management to the oil, construction and camps sectors, in response to an online discussion hosted by Gebouwinzicht. Sodexo argues that good asset management can deliver savings of at least 10%. Where insight into the usefulness and necessity of maintenance is poor, which they frequently encounter, they argue that savings of up to about 30% are often easily achievable.<sup>35</sup>

A building file helps to make building management more efficient and perhaps even more effective. Maintenance can be focused on the functional performance of systems within the building. Double management contracts and failure costs can be avoided. Time can also be saved because you know where to find information. Moreover, one can trust that this information is up to date and it can be used to guide repair works quickly and easily.<sup>36</sup>

**Reason 2: A good building dossier puts the Building or Facility Manager in control.** The role of the Building or Facility Manager (BM/FM) and the activities of technical management – operation and management of all technical systems within a building, such as control systems for mechanical/electrical equipment, heating, ventilation, lighting, sensors, security, safety, etc. – are moving ever closer together. The information that each uses and needs is becoming increasingly important to both roles. A further development in the real estate industry is that technical management is being outsourced more frequently. To maintain control, a BM/FM must understand what external technical parties are doing. The greater the understanding, the greater the control.<sup>37</sup>

**Reason 3: A good building specification is the basis for sustainability.** The housing industry is tasked with preserving existing buildings. The greater the knowledge about a building, the greater the opportunity to achieve sustainability. By understanding a building, one can identify and implement improvements that will make a difference. The basis for understanding a building is a 'building file'.<sup>38</sup>

Further industry views are also mixed. Bouwend Nederland<sup>39</sup> (Building Netherlands) argues that it is right that the consumer should get what he/she pays for, but feels that there is insufficient insight into the consequences of the Building Quality Law for citizens, businesses and municipalities. Lack of clarity on the minimum quality assurance requirements that companies will have to comply with, as well as the nature and dimensions of the 'As-Built File' that companies will have to create, create cost uncertainty for businesses.<sup>40</sup>

In contrast, the construction accreditation organisation, BouwGarant,<sup>41</sup> argues that measures such as the Opleverdossier are needed to ensure proven security and quality for the consumer and therefore an increase in confidence.<sup>42</sup>

Finally, Brandweer Nederland<sup>43</sup> (Firefighters Netherlands) provides another positive view on the value of the Opleverdossier, highlighting not only its value to the consumer and the Government, but also its potential value to a variety of authorities, not least regarding security. Brandweer Nederland recommends widening the scope of the Opleverdossier beyond building completion to assist building monitoring by organisations such as the Fire Brigade. It argues that the quality of construction work does not end with the completion of a building: fire safety is largely determined by its use.<sup>44</sup>

## Endnotes

- 1 <http://www.stichtingibk.nl/>  
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[http://www.ihs.nl/fileadmin/ASSETS/ihs/Marketing/prospective\\_students\\_pages/ECO\\_and\\_MFUI/EU\\_Experiences\\_of\\_Building\\_codes.pdf](http://www.ihs.nl/fileadmin/ASSETS/ihs/Marketing/prospective_students_pages/ECO_and_MFUI/EU_Experiences_of_Building_codes.pdf)
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