



Building Safety Fund – Cost Recovery Questionnaire

Explanatory text

You are expected to take all reasonable steps to recover the costs of addressing life safety fire risks caused by cladding from those responsible. Where you do successfully recover funds relating to these works, you are expected to pay to government any amounts recovered which are referable to the amount provided through the fund for eligible works (minus any reasonable irrecoverable legal costs you have incurred through pursuing cost recovery and directly referable to addressing life safety fire risks caused by cladding).

We will not seek to recoup amounts recovered in litigation or settlement which do not relate to addressing life safety fire risks caused by cladding. . Where you have already recovered funds, you should deduct the relevant amounts from applications and provide an explanation as to how this has been calculated.

Please note that the information you provide in this questionnaire, and in other parts of your online application, will be used by DLUHC and delivery partners to make assessments about cost recovery. We reserve the right to ask you for further information and documents regarding cost recovery after initial assessment. We expect you to provide us with updates about ongoing cost recovery action.

DLUHC does not rule out seeking an assignment of relevant rights of action where it considers it would be appropriate to do so.



Information about the building and unsafe cladding system installation

	<i>Request</i>	<i>Response</i>
1	Date of Practical Completion of the construction of the Building	
1a	Date of installation of the unsafe cladding (if different)	
1b	Did Practical Completion of the Building occur <i>after</i> 29 June 1992 and so within the limitation period of the Defective Premises Act (1972)	<i>[Yes/No]</i>
2	Building Control Body which gave approval for the installation of unsafe cladding	

Insurance and warranty information related to the installation of the unsafe cladding system

3	Is there an insurance policy of any nature which may cover the installation of the cladding? This includes insurance taken out by yourself or any of the parties involved in the installation of the	<i>[Yes/No]</i>
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	cladding. If yes, for each party please specify: If you are unable to provide this information, please skip to 3e.	
3a	Name of insurer	
3b	Length of cover	
3c	List of any exclusions of cover relating to cladding installation	
3d	Does the policy cover the relevant period?	
3e	If you have been unable to provide this information, please state why and what efforts have been made to obtain this information.	
4	Is there a warranty in place for the construction of the building? If so, please provide details, including: If you are unable to provide this information, please skip to 4d.	<i>[Yes/No]</i>



4a	Name of warranty provider	
4b	Length of warranty cover	
4c	Any warranty exclusions related to cladding installation	
4d	If you have been unable to provide this information, please state why and what efforts have been made to obtain this information.	

Information about the companies involved in the installation of the unsafe cladding system

5	<p>Names of the companies responsible for the installation the unsafe cladding.</p> <p>This should include:</p> <ul style="list-style-type: none">• The cladding installer• The Principal Contractor for the installation of unsafe cladding (if different)• (if the cladding was installed as part of initial construction of the building) the Developer	
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	<ul style="list-style-type: none">(if the cladding was installed after initial construction) the Freeholder at the time the unsafe cladding was installed. <p>If you are unable to provide the details for any of these companies, please state why.</p>	
5a	Registered company numbers for the companies	
5b	Are the companies still solvent? ¹	
5c	Are the companies still trading?	

¹ You can refer to the search facility at Companies House which provides details of the current status of any company searched against. This is available at: <https://beta.companieshouse.gov.uk/>



5d	Contact details for the Head Office of each company	
6	If available, details of any contracts or agreements between the supplier and/or installer of the unsafe cladding and the developer at the time the unsafe cladding was installed	

Information about the cost recovery steps taken

	<i>Request</i>	<i>Response</i>
7	Please provide details about the steps you have taken to recover the cost of replacing the unsafe	



	cladding from those responsible. This should include reference to the Defective Premises Act 1972. This may include (but is not limited to):	
7a	Type of cost recovery action taken (e.g. warranty claims, insurance claims, legal action, informal settlements etc.) and details of the outcome or stage(s) reached	
7b	Name(s) of the company/companies you are taking cost recovery steps against	
7c	Whether you have sought legal advice on the chances of bringing a successful claim for recovery of the costs of remediation, and if not, why not.	
7d	If you have assessed that there is no reasonable chance of cost recovery success, on what basis have you made the decision that	



	recovery is not a reasonable proposition?	
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