



Harry Lo <harrykhlo@gmail.com>

Re: (RE: Re: (RE: Building Dispute MB # 050417))

1 message

Harry Lo <harrykhlo@gmail.com>To: Build-disputes <Build-disputes@fairwayresolution.com>
Cc: "jlee2609@yahoo.com.hk" <jlee2609@yahoo.com.hk>

Tue, Dec 27, 2022 at 11:16 PM

Kia ora Edward,

Thank you for your kind help with the mediation.

I prefer you follow up our case. My complaint summary is below.

In short, I requested thermally broken aluminum sliding doors (which have an adjacent window) for reducing condensation on the aluminum frames. However, I found they are partially non-thermally broken after the installation. Afterward, I was informed they are not able to provide us with fully thermally broken aluminum sliding doors and then the builder (i.e. JSR Construction) and the supplier (i.e. Hagley Windows & Doors) agreed to change parts of the non-thermally broken members (i.e. stiles) without full warranty and without my agreement. And also, they refuse to change a partially non-thermally broken member (i.e. fixed interlocker). If I was informed of the known manufacturer's issues and the warranty condition before the order, I would not have made this order. I do not accept that the sliding doors are not fully thermally broken and do not have full warranty. I require the builder to replace and reinstall the whole entire partially thermally broken sliding doors (with adjacent window) all to functional thermally broken sliding doors (with adjacent window) with full warranty and also accept any liabilities that may arise such as the matters related to any material reinstatement, any material variations and time delay.

The events in chronological order with attached emails are below for reference.

- 1) I chose to pay an extra 30% more to use thermally broken aluminum windows and sliding doors. It is because the thermally broken strip in the aluminum frames is supposed to create a barrier from the cold to reduce condensation on the aluminum frames (refer to Window & Glass Association NZ at the last subsection of https://www.wganz.org.nz/thermally_broken_windows/ which is also attached here as the file "Thermally broken windows.pdf" for easy reference).
- 2) The builder and supplier failed to disclose the known thermal bowing and warranty issues of the dark color thermally broken sliding doors before the builder ordered the thermally broken sliding doors. The thermal bowing issue causes the doors unable to open or close (see emails on 24 Nov 2022 at 6:47pm). If I was informed of this before the order, I would not have made this order.
- 3) They failed to provide a functional thermally broken aluminum joinery of the sliding doors and failed to inform us.
- 4) The builder failed in the inspection to find out that there are non-thermally broken members of the sliding doors with an adjacent window.
- 5) I found the non-thermally broken members after the installation. (see email on 15 Nov 2022 in the attached "1st Emails")
- 6) They admitted our order was thermally broken (see email on 31 Oct 2022 at 8:01 am in the attached "1st Emails").
- 7) They denied the non-thermally broken members (see email on 31 Oct 2022 at 10:12 am in the attached "1st Emails").
- 8) They admitted the stiles are not thermally broken (see email on 31 Oct 2022 at 2:02 pm in the attached "1st Emails").
- 9) They deny that there is a path of thermal conduction between the internal and external parts of the window transom via the fixed interlocker at the joint between them.
 - a) See Photo 2 in the email on 20 Nov 2022 at 10:06 pm in the attached 2nd Emails.
 - b) See Photo 1 in the email on 20 Dec 2022 at 7:33 pm in the attached 3rd Emails
 - c) This path of thermal conduction causes no thermal barrier at the joint. This makes the products redundant because it is no longer able to reduce condensation.
 - d) However, they have admitted APL (i.e. their manufacturer) is facing the problems with the interlocker of the sliding door units (see email on 24 Nov 2022 at 12:37pm and email on 24 Nov 2022 at 6:47 pm in the attached 2nd

Emails).

10) I require the builder to replace and reinstall the whole entire partially thermally broken sliding doors (with adjacent window) all to functional thermally broken aluminum sliding doors (with adjacent window) with full warranty and also accept any liabilities that may arise such as the matters related to any material reinstatement, any material variations and time delay. (see email on 20 Nov 2022 at 10:06 pm)

11) I took thermal images showing the thermal conduction (See Photo 2 in the email on 20 Dec 2022 at 7:33 pm in the attached 3rd Emails. There are more clear thermal images if required).

12) They decided to change the stiles without providing full warranty and without my agreement (see emails on 20 Dec 2022 at 4:37 pm, on 21 Dec 2022 at 9:24 pm and on 21 Dec 2022 at 9:59 pm in the attached 3rd Emails).

13) They refuse to change the fixed interlocker (see email on 21 Dec 2022 at 9:24 pm in the attached 3rd Emails).

14) I informed them that I will initiate a mediation for this (see email on 21 Dec 2022 at 9:59 pm in the attached 3rd Emails).

Would you mind letting me know when you will contact the builder?

Please feel free to let us know if there are any problems.

Thank you very much.

Nga mihi,

Harry Lo

02102824346

On Thu, Dec 22, 2022 at 9:42 AM Build-disputes <Build-disputes@fairwayresolution.com> wrote:

Good morning Harry,

Thank you for your time on the phone earlier. Feel free to send through an updated complaint summary.

As discussed, I am on annual leave from the 6th of January and return on the 23rd of January. I am happy to conduct our process prior to this or following. Obviously that will be subject to the builder's availability, which is likely limited at this time of the year. If you would prefer to proceed with our process after the 6th but before the 23rd, I am happy to pass this file along to a colleague.

Please advise how you wish to proceed.

Kind regards,
Edward Palmer

Resolution Coordinator

Below is the Email Conversation Thread for this Email

Received: 12/21/2022 11:37PM
From: harrykhlo@gmail.com
To: Build-disputes@fairwayresolution.com; Build-disputes@fairwayresolution.com; jlee2609@yahoo.com.hk;
Subject: Re: (RE: Building Dispute MB # 050417)
Attachments:

Body:

Kia ora Edward,

Thank you for your mediation service.

I cannot resolve the matter with the builder, and would like to initiate the mediation.

Would you please help with initiating the mediation process and let me know what I should do? Do I need to update you on the current situation? May I visit you to have a chat?

Thank you so much.
Nga mihi,
Harry

On Thu, Nov 17, 2022 at 2:54 PM Build-disputes <Build-disputes@fairwayresolution.com> wrote:

Good afternoon,

We have heard from the homeowner who has advised that he would like to withdraw his case with our service and attempt to resolve this matter with you directly.

Kind regards,
Edward Palmer

Resolution Coordinator

Below is the Email Conversation Thread for this Email

Tēnā koe

We have received a submission to access our early dispute resolution service from the homeowner at 2 Rapere Street, Rolleston regarding some aluminum windows and doors. Please complete the registration form on the following link:

[Register online for early resolution | Fair Way \(fairwayresolution.com\)](#)

More information about our service can also be found here:
[www.fairwayresolution.com/MB](#)

If you have any questions please do not hesitate to contact me.

Ngā mihi

Edward Palmer
Resolution Coordinator - Customer Experience Team
T 0800 77 44 02
E builddisputes@fairwayresolution.com
PO Box 2272, Wellington 6140

fairwayresolution.com/mb   



kia tau
YOUR EXPERTS
IN DISPUTE
RESOLUTION

Workplace Services

Helping people in workplace
conflict to move forward

Edward Palmer

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Edward Palmer

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4 attachments

-  **1st Emails - 15 Nov 2022.Gmail - Seek dispute resolution_ FW_ Claim remedial work_ Master Build Guarantee No 238598 (2 Rapere Street, Rolleston 7615).pdf**
1336K
-  **3rd Emails - 6pages-21 Dec 2022.Gmail - Re_ Incorrect Thermal broken Aluminum Joinery_ 2 Rapare St. Job No.27363 - JSR Construction_.pdf**
3684K
-  **2nd Emails - 4 Dec 2022.Gmail - Re_ Incorrect Thermal broken Aluminum Joinery_ 2 Rapare St. Job No.27363 - JSR Construction_.pdf**
8835K
-  **Thermally broken windows.pdf**
2062K

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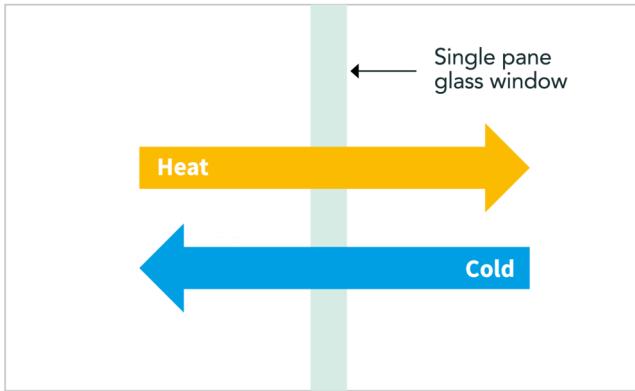
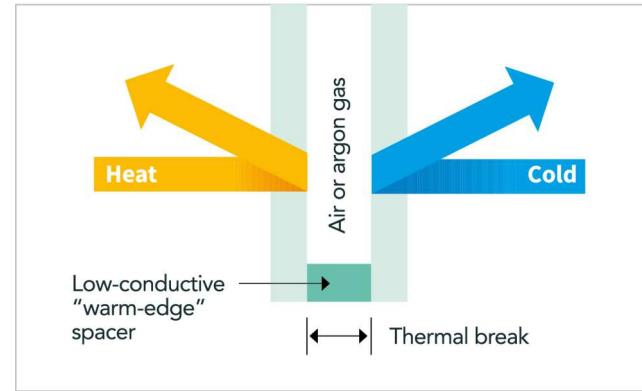
[/ Thermally Broken Windows](#)

Thermally Broken Windows

What is a thermal break?

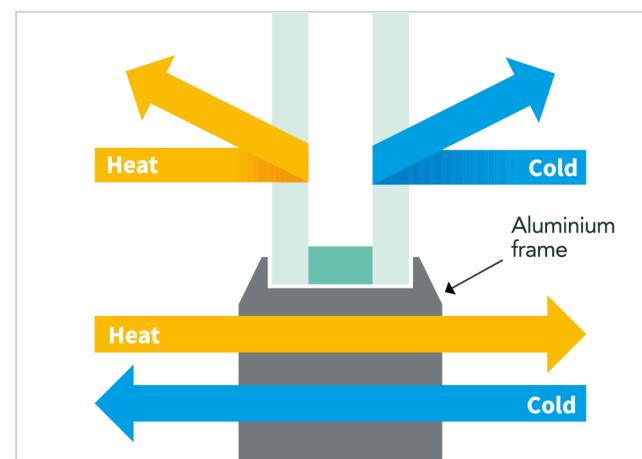
For many years double glazed windows have been used to keep buildings cool in summer and warm in winter.

By capturing a layer of air (or argon gas) between two panes of glass separated by non-conductive spacers, double glazed windows interrupt the transfer of heat via the process of conduction. This technique of separating heat conductive materials (like glass) with materials that are poor heat conductors is referred to as a "Thermal Break".

Single Pane Glass**Thermally broken windows****Double Glazing****Double Glazing only solves part of the problem**

While double glazing is relatively common, what's not widely known is that the same thermal break technique can be applied to window frames which like glass are highly heat conductive.

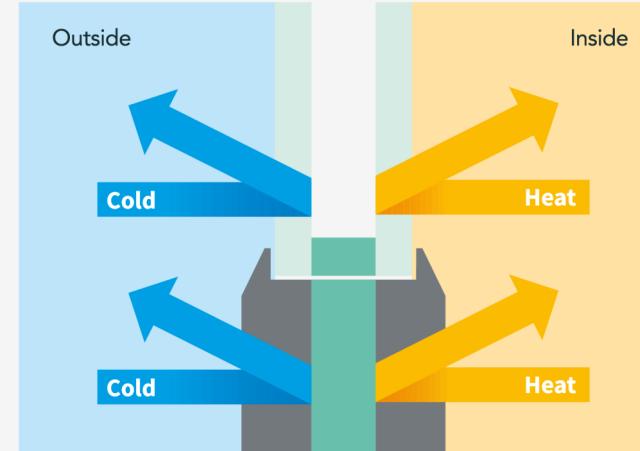
If you've ever felt the inside of your aluminum joinery on a cold day, you'll notice it feels cold, just like outside. So, while your double-glazed glass might be doing an excellent job, its performance is being compromised by heat transfer via conduction from the frame itself.

**Standard Aluminium Window
(double glazing / traditional aluminium frame)****The solution is thermally broken windows**

By applying the same thermal break technique used in double glazing to separate the inside and outside surfaces of your window frame with a layer of another material that's a poor heat conductor, heat transfer through the entirety of the window is reduced. So, the term 'Thermally

'Broken Window' refers to a window that has a thermal break in both the frame, and the glass.

Cold Day with Thermally Broken Windows

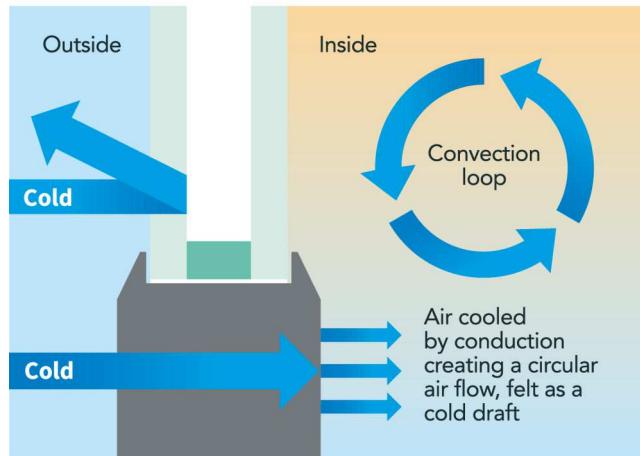


What benefits can you expect from thermally broken windows?

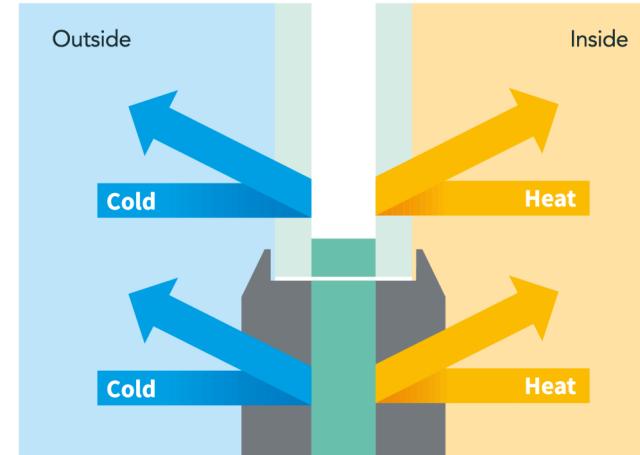
Warmer in winter

In winter the interior surfaces of a traditional aluminum window frame will be very similar to the temperature outside. When the warm air you've heated inside comes into contact with the cold window frame it creates a convection loop which circulates cold air in the room, which feels like draft. By contrast the interior frame of a thermally broken window is much less affected by the exterior temperature. It will stay warmer, reducing convection loops and making the room more efficient to keep at a stable temperature.

Cold Day (double glazing / traditional aluminium frame)

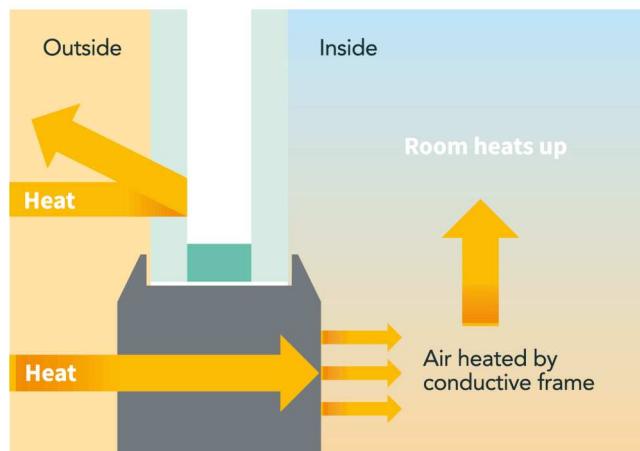


Thermally broken windows

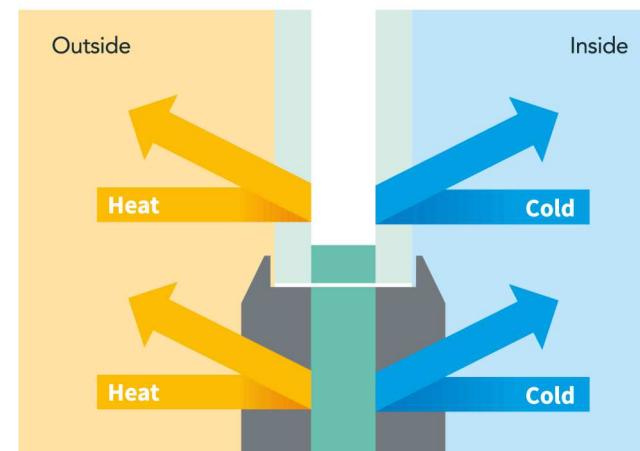
Cold Day with Thermally Broken Windows**Cooler in summer**

In summer the interior surfaces of an aluminum window frame can rise to be significantly higher than the outside air temperature. As an example, in 25°C of outdoor temperature the interior surfaces of dark framed joinery could be as high as 55°C. This increased window frame temperature transfers heat directly into the room making it uncomfortably hot. A thermally broken window frame decreases this transfer of heat so the room can remain significantly cooler. How much cooler depends on the size of the thermal break, the wider the thermal break the more the transfer of heat can be interrupted.

Hot Day (double glazing / traditional aluminium frame)

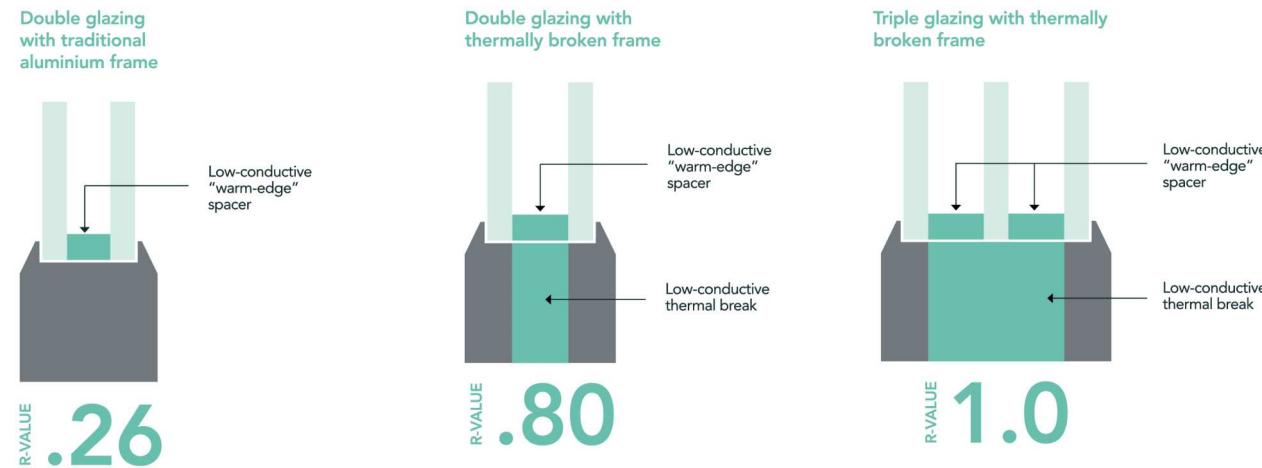


Hot Day (double glazing / thermally broken windows)



Reduced energy consumption

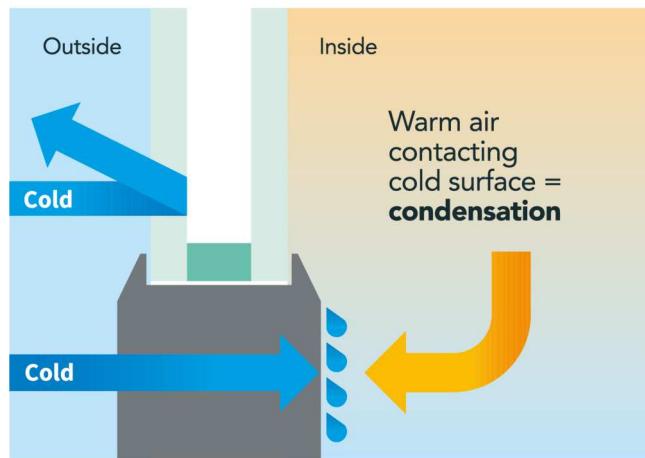
It's not unusual to lose up to 50% of the energy used to heat or cool a building through the windows. A traditional aluminum window with standard glass will allow eight times as much energy to escape than through a typical wall of the same area. A windows thermal performance is measured in R value, with a higher number representing better insulating properties. A traditional aluminum window frame with double glazing has an R value of 0.26. Compare that with a thermally broken window frame with double glazing where an R value of up to 0.8 can be achieved, or a thermally broken window frame with triple glazing which can achieve an R value of 1.0.



Reduced condensation

Condensation occurs when warm moist air comes into contact with a cold surface. Generally speaking, traditional aluminum frames are the coldest visible surface on a building which is why we often see condensation occurring there first. Because a thermally broken window frame stays at a similar temperature to the interior of the room there's much less risk of condensation occurring. It must be noted that thermally broken window frames alone are not enough to combat condensation, adequate heating and ventilation are also critical to ensure frame temperatures do not fall below the dew point temperature.

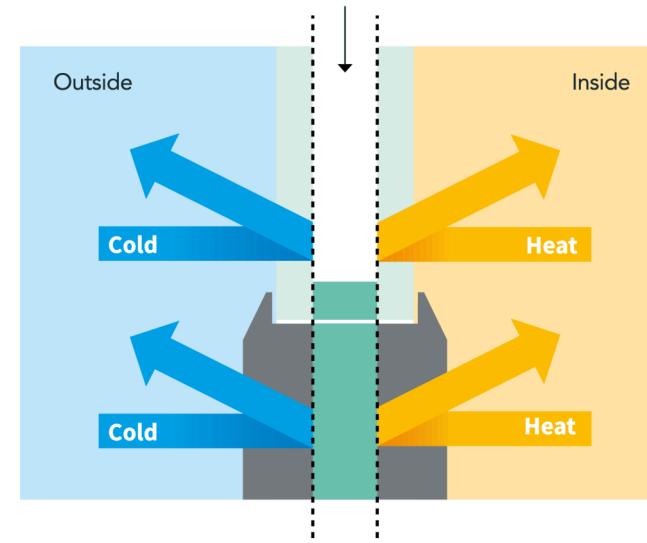
Condensation (double glazing / traditional aluminium frame)



Thermally broken windows

Thermally Broken Window / no Condensation

Thermal break prevents warm air contacting a cold surface



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Auckland 1246, New Zealand

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Harry Lo <harrykhlo@gmail.com>

**Seek dispute resolution: FW: Claim remedial work: Master Build Guarantee No 238598
(2 Rapere Street, Rolleston 7615)**

1 message

Harry Lo <harrykhlo@gmail.com>
To: build-disputes@fairwayresolution.com
Cc: Sze Ping Jessica Lo <jlee2609@yahoo.com.hk>

Tue, Nov 15, 2022 at 11:19 PM

Kia ora Fair Way,

Thank you for providing the dispute resolution services.

The Registered Master Builders Association introduced Fair Way to us for helping with the building project of our residential house.

During our site visit on 29 October 2022 after all the aluminum windows and doors have been installed, we found that:

- about half of the aluminum windows and doors are not thermally broken (refer to the emails below on and before 8 November 2022).

According to our contract, the builder (JSR Construction, Ricky is the builder representative) shall provide us with all thermally broken aluminum windows and doors. The supplier admitted in the email below on 31 Oct 2022 at 8:01 am that our ordered aluminum windows and doors are all thermally broken. The supplier also said that they cannot provide those thermally broken aluminum joineries in the email below on 31 Oct 2022 at 2:02 pm. We requested the builder to fix the windows and doors in the email below on 6 November 2022, In the screenshots of the whatsapp conversation below on 15 November 2022 about this thermally broken issue, the builder refused to fix it.

May I have your advice and kind help? Thank you so much.

The screenshot shows a Gmail inbox with several unread messages from various contacts. The main focus is a WhatsApp conversation between Jessica and Ricky Wong.

WhatsApp Conversation:

- Jessica, Ricky, You** (2RapereStreet,Rolleston)
I thank you Kicky 10:34
They look great 😊 10:34
- Hi @Ricky Wong how do you fix the thermal broken windows and doors? 20:03
- We really need them as we requested for them as per our building contract. 20:04
- Can you please sort this out? 20:05
- Ricky Wong**
I cannot do anything as per Hagley there already explained is thermal broken windows only the doors stile only is not thermal broken 20:07
- Rolleston. Inbox**
Tom Ash... 31 Oct ← : to Harry, me ↗
Hi Harry & Ricky
I have made a few enquires regarding the Thermal Breaks in the Sliding Door Stiles and have discovered that API, which is our Aluminium Supplier have had some issues over the past couple of years with the Thermally Broken Sliding Door Stiles bowing in direct sunlight. This is due to the heat causing the metal to expand in the sun colours and when the sun is at its hottest in the middle of the day. The bowing causes the Door stile to not line up with the Frame and Door frame causing the door to not open and close during the day but comes back in line in the evening.
A decision was made by API to supply non-Thermally Broken Sliding Door Stiles for this reason where a dark colour has been requested. API have carried out some rigorous testing in relation to the efficiency of the Door Stiles being non-Thermally Broken and the loss in value of the door frame and door frame not being able to open and close during the day but comes back in line in the evening.
- Kind Regards Tom 20:08
- Jessica**
Ricky Wong
I cannot do anything as per Hagley there already explained is

Unread Messages:

- Update available Click to update WhatsApp
- Search or start new chat
- 羅氏 +852 9588 8737: 一塊生羌、一塊黃羌及2... 22:11
- Buying house Jessica: cab.org.nz/article/KB00000909 21:57
- Ho Ho Lo Lo 😊 Ivana: can u sign me up for year 13 camp 21:26
- 2RapereStreet,Rolleston ✓ You: That involves about half of alumunium... 20:27
- BSF Men Chch BSF: Q3B Which was particularly meanin... 17:37
- 主内心連心 ❤️ +852 6305 0110: 🎉 Sticker 13:17
- 華人教會語堂 +64 21 103 0780 turned off disappearing mes... 10:32
- 星期五查經組 +64 210 373 357: 無問題，謝謝告知 yesterday
- Ricky Wong ✓ Fyi, Hans, who we've just met, is Filipino, an... yesterday
- 摩西組 yesterday

Update available
Click to update WhatsApp >

Search or start new chat

2RapereStreet,Rolleston Jessica, Ricky, You

Rolleston. Inbox TODAY

Tom Ash... 31 Oct to Harry, me

I have made a few enquiries regarding the Thermal Break in the Sliding Door Stiles and have discovered that APL which is our Aluminum Supplier have had some issues over the past couple of years with the dark colored doors. This is due to the heat from direct sunlight during the summer months in particular with the darker colours and when the sun is at its hottest in the middle of the day. The heat causes the door to warp and the door frame to move and Striker Plate making the door difficult to opening and close during the day but comes back in line in the evening.

A decision was made by APL to supply non-Thermally Broken Sliding Door Stiles for this reason where a dark colour has been requested. APL have carried out some rigorous testing in relation to the efficiency of the doors and have found that the heat loss and the loss in the Thermal Rating is only one - two percent over the entire Frame. With the Non-Thermally Broken Door Stiles the product still meets the minimum R rating and does not affect the performance of the door.

Kind Regards Tom 20:08

Jessica

Ricky Wong

I cannot do anything as per Hagley there already explained is thermal broken windows only the doors stile only is not thermal broken

Then ask them to fix it 20:08

Ricky Wong

Please read their email 20:09

Ricky Wong

I cannot do anything as per Hagley there already explained is thermal broken windows only the doors stile only is not thermal broken

That involves about half of aluminium joinery which does not have thermal broken. That is an important issue. 20:27 ✓

Type a message

Mozi.org yesterday

10:58 PM 11/15/2022 21

Thank you so much for your kind help.

Nga mihi,
Kind regards,
Harry Lo

----- Forwarded message -----

From: Claims <claims@masterbuilder.org.nz>
Date: Wed, Nov 9, 2022 at 1:59 PM
Subject: FW: Claim remedial work: Master Build Guarantee No 238598 (2 Rapere Street, Rolleston 7615)
To: harrykhlo@gmail.com <harrykhlo@gmail.com>

Hi Harry

The issues you have advised appear to more contractual issues than defects under the guarantee.

There is a free dispute resolution service available to customers of Registered Master Builders, called Fair Way which may help in resolving contractual disputes. There details are:

Fair Way

12/27/22, 4:42 PM

Gmail - Seek dispute resolution: FW: Claim remedial work: Master Build Guarantee No 238598 (2 Rapere Street, Rolleston 7615)

Email: build-disputes@fairwayresolution.com

Website: www.fairwayresolution.com

Phone: 0800774402

Kind Regards



Karyn Hollamby

Senior Claims Advisor

0800 269 119

DDI: 04 8026902

Registered Master Builders Association

Level 14, 2 Hunter Street

PO Box 1796, Wellington

masterbuilder.org.nz

Building a Better New Zealand



REGISTERED MASTER BUILDERS
**HOUSE
OF
THE
YEAR**



From: Harry Lo <harrykhlo@gmail.com>
Sent: Tuesday, 8 November 2022 10:16 pm
To: Cathrine Van Venrooy <cathrine.vanvenrooy@masterbuilder.org.nz>; MBS Info <info@masterbuild.org.nz>; MBS Info <info@masterbuild.org.nz>
Cc: Sze Ping Jessica Lo <jlee2609@yahoo.com.hk>
Subject: Claim remedial work: Master Build Guarantee No 238598 (2 Rapere Street, Rolleston 7615)

Some people who received this message don't often get email from harrykhlo@gmail.com. Learn why this is important

Dear Registered Master Builders Association,

Thank you for providing us with the Master Build Guarantee No 238598 for our house at 2 Rapere Street, Rolleston 7615.

During our site visit on 29 October 2022, we found the following items are wrong:

1. Parts of aluminum windows and doors are not thermally broken (refer to the emails below). According to our contract, the builder shall provide us with all thermally broken aluminum windows and doors.
2. The mortar of the brick is wrong. Builder does not follow the method of the brick supplier to handle the mortar mix and match the color. The builder has agreed to handle the mortar mix according to the brick supplier's method and to match the color shown in the supplier's showroom at 189 Main South Road, Christchurch. and the builder's showhome at 3 Old Stone Lane, Christchurch. According to our contract, the builder shall match the colour.
3. The power supply cable to the house is not a 3-phase cable. According to our contract, the builder shall provide a 3-phase power supply system in the house.

May I have your advice on how we can make the claim for the remedial work?

Thank you so much for your kind help.

Kind regards,

Harry Lo

----- Forwarded message -----

From: Harry Lo <harrykhlo@gmail.com>

Date: Sun, Nov 6, 2022 at 9:58 PM

Subject: Re: JSR Construction Job No.27363: 2 Rapare Street, Rolleston.

To: jsrconstruction.nz@gmail.com <jsrconstruction.nz@gmail.com>

Hi Ricky,

Thank you for your effort in building our house.

We found that some of the aluminum windows and doors are not thermally broken during our site visit on 29 October 2022.

Could you please fix the windows and doors.

Thank you so much for your kind help. Please feel free to contact us if there are any concerns or questions.

Kind regards,

Harry

On Mon, Oct 31, 2022 at 2:02 PM Tom Ashwin <tom.ashwin@hagley.co.nz> wrote:

Hi Harry & Ricky

I have made a few enquiries regarding the Thermal Break in the Sliding Door Stiles and have discovered that APL which is our Aluminium Supplier have had some issues over the past couple of years with the Thermally Broken Sliding Door Stiles bowing in direct sunlight during the summer months in particular with the darker colours and when the sun is at its hottest in the middle of the day. The bowing causes the Door Stile to not line up with the Frame and Striker Plate making the door difficult to opening and close during the day but comes back in line in the evening.

A decision was made by APL to supply non-Thermally Broken Sliding Door Stiles for this reason where a dark colour has been requested. APL have carried out some rigorous testing in relation to the efficiency of the Door Stiles being non-Thermally Broken and the loss in the Thermal Rating is only one – two percent over the entire Frame. With the Non-Thermally Broken Door Stiles the product still meets the minimum R rating and does not affect the performance of the Door.

Kind Regards Tom

Tom Ashwin



03 33 88 235

Project Manager



0274 800 208

Hagley Windows & Doors



tom.ashwin@hagley.co.nz



www.hagley.co.nz



Waterloo Business Park



926 Halswell Junction Road

Christchurch 8042

New Zealand

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Sustainability | Please consider the environment before printing this email.

From: Harry Lo <harrykhlo@gmail.com>
Sent: Monday, 31 October 2022 12:48 PM
To: Ricky Wong <jsrconstruction.nz@gmail.com>
Cc: Tom Ashwin <tom.ashwin@hagley.co.nz>; Sze Ping Jessica Lo <jlee2609@yahoo.com.hk>
Subject: Fwd: 2 rapare street

Hi Ricky,

The photos of white aluminium frames you sent Tom were not for our house.

On the photos of the black aluminium frames, the layer marked thermal broken is a strip of aluminium but not the thermal broken layer.

Please have a further investigation.

Thanks.

Harry

On Mon, 31 Oct 2022, 11:00 Ricky Wong, <jsrconstruction.nz@gmail.com> wrote:

----- Forwarded message -----

From: Tom Ashwin <tom.ashwin@hagley.co.nz>
Date: Mon, 31 Oct 2022, 10:12
Subject: RE: 2 rapare street
To: Ricky Wong <jsrconstruction.nz@gmail.com>

Hi Ricky

I can see the thermal break in both those photos so no need to go to site.

Cheers Tom

Tom Ashwin 03 33 88 235

Project Manager **0274 800 208**

Hagley Windows & Doors tom.ashwin@hagley.co.nz

www.hagley.co.nz

Waterloo Business Park

926 Halswell Junction Road

Christchurch 8042

New Zealand

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From: Ricky Wong <jsrconstruction.nz@gmail.com>

Sent: Monday, 31 October 2022 9:56 AM

To: Tom Ashwin <tom.ashwin@hagley.co.nz>

Subject: Re: 2 rapare street

I had covid , you can get in lockbox and gate 1988

On Mon, 31 Oct 2022, 08:18 Tom Ashwin, <tom.ashwin@hagley.co.nz> wrote:

What time will you be on site?

Tom Ashwin 03 33 88 235

Project Manager **0274 800 208**

Hagley Windows & Doors tom.ashwin@hagley.co.nz

www.hagley.co.nz

Waterloo Business Park

926 Halswell Junction Road

Christchurch 8042

New Zealand

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From: Ricky Wong <jsrconstruction.nz@gmail.com>

Sent: Monday, 31 October 2022 8:14 AM

To: Tom Ashwin <tom.ashwin@hagley.co.nz>

Subject: Re: 2 rapare street

Papers yes, but what onsite is different stories, please come to have a look

On Mon, 31 Oct 2022, 08:01 Tom Ashwin, <tom.ashwin@hagley.co.nz> wrote:

Hi Ricky

I have just checked our paperwork here and all items are thermally broken as requested.

The client didn't want Argon Gas to the Double Glazed Units so this was not provided.

Tom Ashwin 03 33 88 235

Project Manager **0274 800 208**

Hagley Windows & Doors tom.ashwin@hagley.co.nz

www.hagley.co.nz

Waterloo Business Park

926 Halswell Junction Road

Christchurch 8042

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From: Ricky Wong <jsrconstruction.nz@gmail.com>

Sent: Sunday, 30 October 2022 5:07 PM

To: Tom Ashwin <tom.ashwin@hagley.co.nz>

Subject: 2 rapare street

Hi Tom go see why some doors are not thermal broken



Harry Lo <harrykhlo@gmail.com>

Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.

1 message

Harry Lo <harrykhlo@gmail.com>
 To: Ricky Wong <jsrconstruction.nz@gmail.com>
 Cc: Sze Ping Jessica Lo <jlee2609@yahoo.com.hk>

Sun, Dec 4, 2022 at 8:30 AM

Hi Ricky,

Thank you for your time to clarify the non-thermally-broken aluminium on site on 1 December 2022.

We have clarified that:

1. All the stiles of the sliding doors are not thermally broken (referring to the photo 3 in my email on Nov 20, 2022 at 10:06 PM)
2. All the fixed interlockers of the sliding doors are missed a thermally-broken strip (referring to the photo 2 in my email on Nov 20, 2022 at 10:06 PM). Note that these fixed interlockers are also a part of the adjacent windows.

You are requested to replace all the entire windows and doors which are partially non thermally broken. The warranty of the affected products has to be valid after the replacement.

Please do not hesitate to let us know if there are any concerns or disagreements.

Thank you for your kind help.

Kind regards,
Harry

On Thu, Nov 24, 2022 at 7:51 PM Harry Lo <harrykhlo@gmail.com> wrote:

Hi Ricky,

Why do you give this excuse so late after the installation? Do you know this problem before the installation or before you choose Hayley?

If I know their incapability earlier, I stop you using Hayley. There are a lot of other companies capable of providing proper thermally broken aluminium windows and doors, for example, attached Raylight's quotation here.

You are required to replace all the entire windows and doors which are partially non thermally broken by a capable supplier who can provide proper thermally broken products (e.g. attached Raylight's quotation) without the aforementioned problem. The warranty of the affected products has to be valid after the replacement.

Thank you for your kind help.
Kind regards,
Harry

On Thu, Nov 24, 2022 at 6:47 PM Ricky Wong <jsrconstruction.nz@gmail.com> wrote:

Hi Harry & Jessica

Do you understand this statement below? if not please call me I explain to you.

"Around 3 years ago the group of window manufacturers met together at an APL conference and discussed a common problem we were facing with the interlocker and stiles of the sliding door units.

We were finding that particularly with darker colour joinery, the product would bend and bow in direct sunlight and the doors were not able to be operated as you can see in the attachment above from APL.

After thorough investigation in New Zealand and overseas, APL made the decision to supply the interlocker and stiles of the sliding door units without a thermal break in it as standard.

They modelled these sliding doors to see what the loss percentage of the thermal retention or R Value of the product would be with this solution and found that it was as low as only 4% lost through the unit due to this solution. APL then compared this to the building code and the R Values required for a thermal suite to achieve and have confirmed that this solution still complies as a thermal system.

To sum up, Hagley are a manufacturer of windows from APL and certainly haven't made this decision ourselves without the confidence that the product is up to scratch and compliant."

and they said that the thermal break provided for each system Not just the door, you need to look at each window as a whole system is thermally broken. And They will warranty their products and provide Producer statements to support their documents. They also stated that if you want some of the doors that don't have the stile to include thermal break, its will have problems in future. (The Door top, middle & bottom steel members are thermally broken, only the left and right vertical members do not have the stile, if they have when the sun shines it might warp and you cannot open or close the door.) They will not provide warranty for that.

You can ask third party opinions if you like. But at the moment we are happy to hear from you what your decision is.

Thank you. Please call me to discuss

Regards

On Thu, Nov 24, 2022 at 6:17 PM Harry Lo <harrykhlo@gmail.com> wrote:
Hi Ricky,

Thank you for admitting that parts of the windows and doors are not thermally broken. The non-thermal-broken door stile is a shared aluminium member with a window.

You are required to replace all the entire windows and doors which are partially non thermally broken by a capable supplier who can provide proper thermally broken products without the aforementioned problem. The warranty of the affected products has to be valid after the replacement.

Thank you for your kind help.
Kind regards,
Harry

On Thu, Nov 24, 2022 at 1:05 PM Ricky Wong <jsrconstruction.nz@gmail.com> wrote:
Hi Harry and Jessica

We visited your house with the General Manager of Hagley and conducted a full inspection of your windows and doors. Your worries of the all the windows was done done with Non Thermally broken was not true, all the windows is done thermal broken, They have all the documents and orders to proof it. and I asl touch and feel the items on site. They are few doors that donot have the stile as explained in pervious letter as well as the letter below. Please find some time to read.

I am happy to go through this with you guys onsite. Please let me know when you are available.

Thank you.

----- Forwarded message -----

From: Matt McLelland <matt.mcllland@hagley.co.nz>
Date: Thu, Nov 24, 2022 at 12:37 PM
Subject: 27363 - 2 Rapera Street
To: Ricky Wong <jsrconstruction.nz@gmail.com>
Cc: Tom Ashwin <tom.ashwin@hagley.co.nz>

Hi Ricky,

Thanks for your time today on site at 2 Rapera Street and very nice to meet you.

I wanted to formalise in an email our conversation regarding the concern about the Residential Thermal Heart suite that you have purchased from us for this property.

Hagley is a manufacturer of aluminium windows and doors with our product coming from the APL Group.

The APL Group is the largest supplier of windows and doors in New Zealand and has over 80 window and door manufacturers nationwide through 3 brands being Altherm, First and Vantage.

APL provide us with the manufacturing packs for all our products as well as the testing data that is used through our quoting and pricing programs to ensure all their fabricators are providing a top quality product that is up to specification and code.

The Thermal Heart product has been around for a number of years now and its popularity has increased over time.

APL have been continually developing this product during this course to ensure it continues to comply with the required insulation levels for a thermal aluminium system as well as adding new products and designs to suit all types of projects.

Around 3 years ago the group of window manufacturers met together at an APL conference and discussed a common problem we were facing with the interlocker and stiles of the sliding door units.

We were finding that particularly with darker colour joinery, the product would bend and bow in direct sunlight and the doors were not able to be operated as you can see in the attachment above from APL.

After thorough investigation in New Zealand and overseas, APL made the decision to supply the interlocker and stiles of the sliding door units without a thermal break in it as standard.

They modelled these sliding doors to see what the loss percentage of the thermal retention or R Value of the product would be with this solution and found that it was as low as only 4% lost through the unit due to this solution. APL then compared this to the building code and the R Values required for a thermal suite to achieve and have confirmed that this solution still complies as a thermal system.

To sum up, Hagley are a manufacturer of windows from APL and certainly haven't made this decision ourselves without the confidence that the product is up to scratch and compliant. APL have tested and modelled countless doors and data to ensure that the solution of non-thermally broken stiles still achieves the R value required for a thermal system.

Hagley have quoted and provided the APL Residential Thermal Heart suite as per our contract to 2 Rapera Street in full and in spec and in line with the building code.

I have attached above a letter from the Technical Manager of APL to confirm and give confidence that the email above is accurate.

I have also attached our metal extrusion order which shows every piece of metal ordered, confirming that everything has been supplied as per the APL Thermal Suite requirement. All codes show the thermal heart (T/H) code next to them apart from the interlocker and stile which is in line with the above and attachment from APL.

Also attached above is our producer statement for this contract noting the specifications of the windows and doors.

If you have any queries on the information above please let me know but I hope this gives your client confidence that Hagley has provided the windows and doors to the correct specification and per our contract.

Thanks and regards,

Matt McLelland
General Manager
Hagley Windows & Doors

03 33 88 235
0274 800 803
matt.mclelland@hagley.co.nz
www.hagley.co.nz



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--
Project Manager

Ricky Wong
JSR CONSTRUCTION LTD
0221018468



On Sun, Nov 20, 2022 at 10:06 PM Harry Lo <harrykhlo@gmail.com> wrote:
Kia ora Ricky

Thank you for your effort for building our house.

However, we cannot accept 59% and 8.7 % of incorrect and uncertain thermally broken joinery respectively.

I recognise that we are both victims in this incident. However, I must run this complaint past you due to our contractual relationship. I wonder whether you would like me to contact the subcontractor's directors or senior management about this incident, or whether you would like to do so yourself?

For your reference, I plan to estimate the cost of rectification and will let you know how it is going.

The following evidence showed that your supplier does not have capability to provide the up-to-standard thermal broken aluminium windows and doors though the supplier has accepted the offer to supply you all the thermal broken aluminium windows and doors for our house at 2 Rapere Street, Rolleston 7615.

- 1) After all the aluminium windows and doors are installed, the email from Tom Ashwin from Hagley Windows & Doors on 31 October 2022 at 8:01am stated that he checked the paperwork for our order on which all items are thermally broken as requested.
- 2) The email from Tom Ashwin from Hagley Windows & Doors on 31 October 2022 at 2:02pm admitted that the supplier of the Hagley Windows & Doors has not been being capable of supplying the up-to-standard thermally broken windows and doors for the past couple of years.
- 3) Your email on 17 November 2022 at 4:05 pm showed that the Hagley Windows & Doors on 31 October 2022 at 2:02pm is not capable of compensating their negligence for installing the incorrect products.

You shall provide us with all the satisfied up-to-standard thermally broken aluminium joinery. You are requested to replace and re-install all the incorrect entire windows and doors. Partly replacement of aluminium materials on the site is not acceptable. You are also liable for all our losses of cost including but not limited to the related matters of any material reinstatements, any material variations, any time delay and any opportunity costs incurred by the correction of the aluminium windows and doors. The incorrect and uncertain products are stated below with the corresponding photos and the photo location plan (Figure 1 below). The product quote no. 27363 from your subcontractor is attached for your reference.

There are following two issues on the thermally broken aluminium windows and doors:

- 1) The parts of the windows and doors frames do not have the thermally broken strip. These windows and doors make up 59% of the area of all the aluminium joinery products. The total area of these problematic aluminium joinery is 28.8 m sq. The total area of all aluminium joinery products is 48.6 m sq. These problematic products are shown in the following photos (note that the photos and the location plan are given at the end of this email):
 - a) Photo 1 – Indicating the non-thermally broken parts of the Sliding Door "Lounge D6" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 2700; Area: 5.751 m sq.)
 - b) Photo 2 – Typical joint between the vertical frame of the sliding door and the horizontal frame of the window shows that the shared frame between the door and the window do not have the thermally broken strip.
 - c) Photo 3 – Typical slide door frame shows that the slide door does not have the thermally broken strip
 - d) Photo 4 – Indicating the non-thermally broken parts of the Sliding Door "Living D6" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 2700; Area: 5.751 m sq.)
 - e) Photo 5 – Indicating the non-thermally broken parts of the Sliding Door "Dining D6" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 2700; Area: 5.751 m sq.)
 - f) Photo 6 – Indicating the non-thermally broken parts of the Sliding Door "Bedroom 3 D5" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 1800; Area: 3.834 m sq.)
 - g) Photo 7 – Indicating the non-thermally broken parts of the Sliding Door "Bedroom 2 D4" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 1800; Area: 3.834 m sq.)
 - h) Photo 9 – Indicating the non-thermally broken parts of the Sliding Door "Master Bedroom D3" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 1800; Area: 3.834 m sq.)
 - i) Photo 12 – Indicating the non-thermally broken parts of the Sliding Door "Bedroom 4 D4" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 1800; Area: 3.834 m sq.)
- 2) The frames of the windows that we are not sure if they are thermally broken or not since the depths of those window frames seems to be smaller than others 32% of the thermally broken joinery by comparing the distances between the frames and the internal and external walls. The total area of these uncertain aluminium joinery is 4.2 m sq. (8.7 % of the total area). These products are shown in the following photos:
 - a) Photo 8 – Indicating uncertain thermally broken window "Bedroom 2 W5" (Door number referred to the attached quote no. 27363) (Trim Size: 600 x 2400; Area: 1.37 m sq)
 - b) Photo 10 – Indicating uncertain thermally broken window "Master Bedroom W4" (Door number referred to the attached quote no. 27363) (Trim Size: 600 x 2400; Area: 1.37 m sq)

- c) Photo 11 – Indicating uncertain thermally broken window “Master Bedroom W3” (Door number referred to the attached quote no. 27363) (Trim Size: 1000 x 1500; Area: 1.5 m sq)

Please do not hesitate to let us know if you disagree with any contents of this email or have any problems, concerns, questions, or objections. Thank you for your attention.

Nga mihi,
Kind regards,
Harry



Photo 1 – Indicating the non-thermally broken parts of the Sliding Door “Lounge D6” (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 2700; Area: 5.751 m sq.)



Photo 2 – Typical joint between the vertical frame of the sliding door and the horizontal frame of the window shows that the shared frame between the door and the window do not have the thermally broken strip.



Photo 3 – Typical slide door frame shows that the slide door does not have thermally broken



Photo 4 – Indicating the non-thermally broken parts of the Sliding Door “Living D6” (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 2700; Area: 5.751 m sq.)



Photo 5 – Indicating the non-thermally broken parts of the Sliding Door “Dining D6” (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 2700; Area: 5.751 m sq.)

Gmail - Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.



Photo 6 – Indicating the non-thermally broken parts of the Sliding Door "Bedroom 3 D5" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 1800; Area: 3.834 m sq.)



Photo 7 – Indicating the non-thermally broken parts of the Sliding Door "Bedroom 2 D4" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 1800; Area: 3.834 m sq.)

Typical Non-thermally broken shared frame between the door and the window, see Photo 2

Typical Non-thermally broken shared frame between the door and the window, see Photo 2



Photo 9 – Indicating the non-thermally broken parts of the Sliding Door "Master Bedroom D3" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 1800; Area: 3.834 m sq.)



Photo 12 – Indicating the non-thermally broken parts of the Sliding Door "Bedroom 4 D4" (Door number referred to the attached quote no. 27363) (Trim Size: 2130 x 1800; Area: 3.834 m sq.)



Photo 8 – Indicating uncertain thermally broken window "Bedroom 2 W5" (Door number referred to the attached quote no. 27363) (Trim Size: 600 x 2400; Area: 1.37 m sq.)



Photo 10 – Indicating uncertain thermally broken window "Master Bedroom W4" (Door number referred to the attached quote no. 27363) (Trim Size: 600 x 2400; Area: 1.37 m sq.)



Photo 11 – Indicating uncertain thermally broken window "Master Bedroom W3" (Door number referred to the attached quote no. 27363) (Trim Size: 1000 x 1500; Area: 1.5 m sq.)

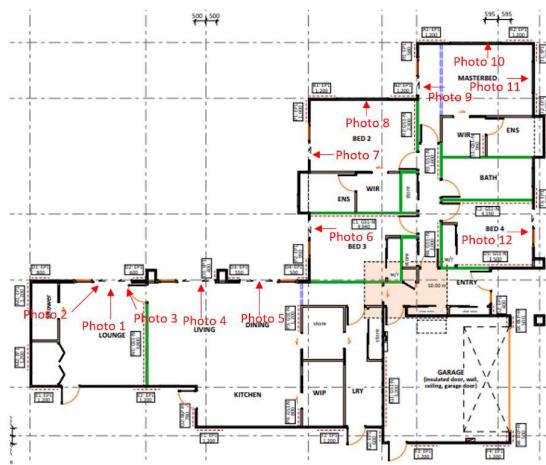


Figure 1 - Photo location plan

On Thu, Nov 17, 2022 at 4:05 PM Ricky Wong <jsrconstruction.nz@gmail.com> wrote:
Hi Harry & Jessica

Here is the propose solutions to your thermal broken by Hagley

"Thank you for sending this through.

I have spoken to our manager regarding the homeowners concerns with the Sliding Door Stiles being non-thermally Broken.

We have three options here:

1. We are prepared to change the six Sliding Door Stiles on site to the Thermally Broken Stiles but the homeowner needs to be aware of the potential for Thermal Bowing especially being a dark powder-coat colour and therefore does not carry a warranty.
2. Credit back the difference in cost between the standard Aluminium Stiles and the Thermally Broken Stiles which works out to be \$21.50 + GST per Stile. Total \$129.00 + GST
3. More than happy for yourself and the homeowner to come into our Office and discuss the options and homeowner's expectations.

Kind Regards Tom"

----- Forwarded message -----

From: Tom Ashwin <tom.ashwin@hagley.co.nz>
Date: Thu, Nov 17, 2022 at 3:42 PM
Subject: RE: Building Dispute MB # 050417 - JSR Construction: Job No.27363
To: Ricky Wong <jsrconstruction.nz@gmail.com>
Cc: Matt McLellan <matt.mclelland@hagley.co.nz>

Hi Ricky

Thank you for sending this through.

I have spoken to our manager regarding the homeowners concerns with the Sliding Door Stiles being non-thermally Broken.

We have three options here:

1. We are prepared to change the six Sliding Door Stiles on site to the Thermally Broken Stiles but the homeowner needs to be aware of the potential for Thermal Bowing especially being a dark powder-coat colour and therefore does not carry a warranty.
2. Credit back the difference in cost between the standard Aluminium Stiles and the Thermally Broken Stiles which works out to be \$21.50 + GST per Stile. Total \$129.00 + GST
3. More than happy for yourself and the homeowner to come into our Office and discuss the options and homeowner's expectations.

Kind Regards Tom

Tom Ashwin
Project Manager
Hagley Windows & Doors

03 33 88 235
0274 800 208
tom.ashwin@hagley.co.nz
www.hagley.co.nz



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From: Ricky Wong <jsrconstruction.nz@gmail.com>
Sent: Thursday, 17 November 2022 12:33 PM
To: Tom Ashwin <tom.ashwin@hagley.co.nz>
Subject: Fwd: Building Dispute MB # 050417

----- Forwarded message -----

From: Build-disputes <Build-disputes@fairwayresolution.com>
Date: Thu, 17 Nov 2022, 09:41
Subject: Building Dispute MB # 050417
To: jsrconstruction.nz@gmail.com <jsrconstruction.nz@gmail.com>

Tēnā koe

We have received a submission to access our early dispute resolution service from the homeowner at 2 Rapere Street, Rolleston regarding some aluminum windows and doors. Please complete the registration form on the following link:

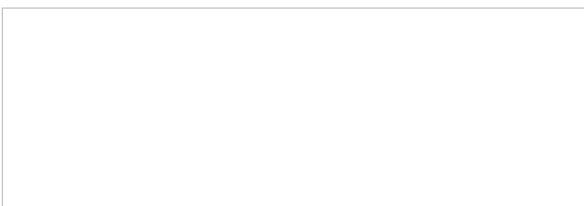
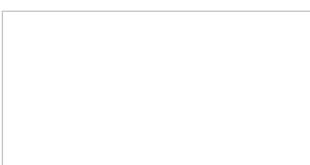
[Register online for early resolution | Fair Way \(fairwayresolution.com\)](#)

More information about our service can also be found here:
www.fairwayresolution.com/MB

If you have any questions please do not hesitate to contact me.

Ngā mihi

Edward Palmer
Resolution Coordinator - Customer Experience Team
T 0800 77 44 02
E builddisputes@fairwayresolution.com
PO Box 2272, Wellington 6140
fairwayresolution.com/mb 



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--
Project Manager

Ricky Wong
JSR CONSTRUCTION LTD
[0221018468](tel:0221018468)



On Wed, Nov 16, 2022 at 8:58 AM Ricky Wong <srconstruction.nz@gmail.com> wrote:

----- Forwarded message -----
From: Tom Ashwin <tom.ashwin@hagley.co.nz>
Date: Wed, 16 Nov 2022, 08:52
Subject: RE: Thermal broken 2 rapare st. Job No.27363 - JSR Construction.
To: Ricky Wong <srconstruction.nz@gmail.com>
Cc: Matt McLelland <matt.mclelland@hagley.co.nz>

Hi Ricky

As I have explained in previous emails (Attached), only the sliding door stiles are not thermally broken due to the thermal bowing issue in particular with dark coloured joinery which is a very small percentage of the overall windows and doors.

I'm not sure where you got more than half from?

Regards Tom

Tom Ashwin
 Project Manager
Hagley Windows & Doors

03 33 88 235
0274 800 208
tom.ashwin@hagley.co.nz


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From: Ricky Wong <srconstruction.nz@gmail.com>
Sent: Tuesday, 15 November 2022 8:47 PM
To: Tom Ashwin <tom.ashwin@hagley.co.nz>
Subject: Thermal broken 2 rapare st

Tom, this job our contract is to supply thermal broken windows and doors and you had charge extra for that, now more then half don't have rhermal broken, is that means you have credits.

----- Forwarded message -----

From: Tom Ashwin <tom.ashwin@hagley.co.nz>
 To: Ricky Wong <srconstruction.nz@gmail.com>
 Cc: Matt McLelland <matt.mclelland@hagley.co.nz>
 Bcc:
 Date: Tue, 1 Nov 2022 19:06:11 +0000
 Subject: RE: 2 rapere st

Hi Ricky

The doors are thermally Broken except the door stile which is a very small percentage of the overall door as I put in the email.

12/27/22, 6:33 PM

Gmail - Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.

This is a finding from the Aluminium Extrusion supplier APL and a national decision to supply non-thermally broken lock stiles to avoid any thermal bowing issues to the locking and security of the doors in particular with the darker colours.

I've attached the previous email which explains all.

Regards Tom

From: Ricky Wong <jsrconstruction.nz@gmail.com>
Sent: Wednesday, 2 November 2022 7:33 AM
To: Tom Ashwin <tom.ashwin@hagley.co.nz>
Subject: 2 rapere st

Tom,

Good morning, with your company new findings is that means our jobs will get credits for door that is not thermal broken ?

----- Forwarded message -----

From: Tom Ashwin <tom.ashwin@hagley.co.nz>
To: Harry Lo <harrykhlo@gmail.com>
Cc: "jsrconstruction.nz@gmail.com" <jsrconstruction.nz@gmail.com>
Bcc:
Date: Mon, 31 Oct 2022 01:01:48 +0000
Subject: JSR Construction Job No.27363: 2 Rapare Street, Rolleston.

Hi Harry & Ricky

I have made a few enquiries regarding the Thermal Break in the Sliding Door Stiles and have discovered that APL which is our Aluminium Supplier have had some issues over the past couple of years with the Thermally Broken Sliding Door Stiles bowing in direct sunlight during the summer months in particular with the darker colours and when the sun is at its hottest in the middle of the day. The bowing causes the Door Stile to not line up with the Frame and Striker Plate making the door difficult to opening and close during the day but comes back in line in the evening.

A decision was made by APL to supply non-Thermally Broken Sliding Door Stiles for this reason where a dark colour has been requested. APL have carried out some rigorous testing in relation to the efficiency of the Door Stiles being non-Thermally Broken and the loss in the Thermal Rating is only one – two percent over the entire Frame. With the Non- Thermally Broken Door Stiles the product still meets the minimum R rating and does not affect the performance of the Door.

Kind Regards Tom

From: Harry Lo <harrykhlo@gmail.com>
Sent: Monday, 31 October 2022 12:48 PM
To: Ricky Wong <jsrconstruction.nz@gmail.com>
Cc: Tom Ashwin <tom.ashwin@hagley.co.nz>; Sze Ping Jessica Lo <jlee2609@yahoo.com.hk>
Subject: Fwd: 2 rapare street

Hi Ricky,

12/27/22, 6:33 PM

Gmail - Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.

The photos of white aluminium frames you sent Tom were not for our house.

On the photos of the black aluminium frames, the layer marked thermal broken is a strip of aluminium but not the thermal broken layer.

Please have a further investigation.

Thanks.

Harry

On Mon, 31 Oct 2022, 11:00 Ricky Wong, <jsrconstruction.nz@gmail.com> wrote:

----- Forwarded message -----

From: Tom Ashwin <tom.ashwin@hagley.co.nz>

Date: Mon, 31 Oct 2022, 10:12

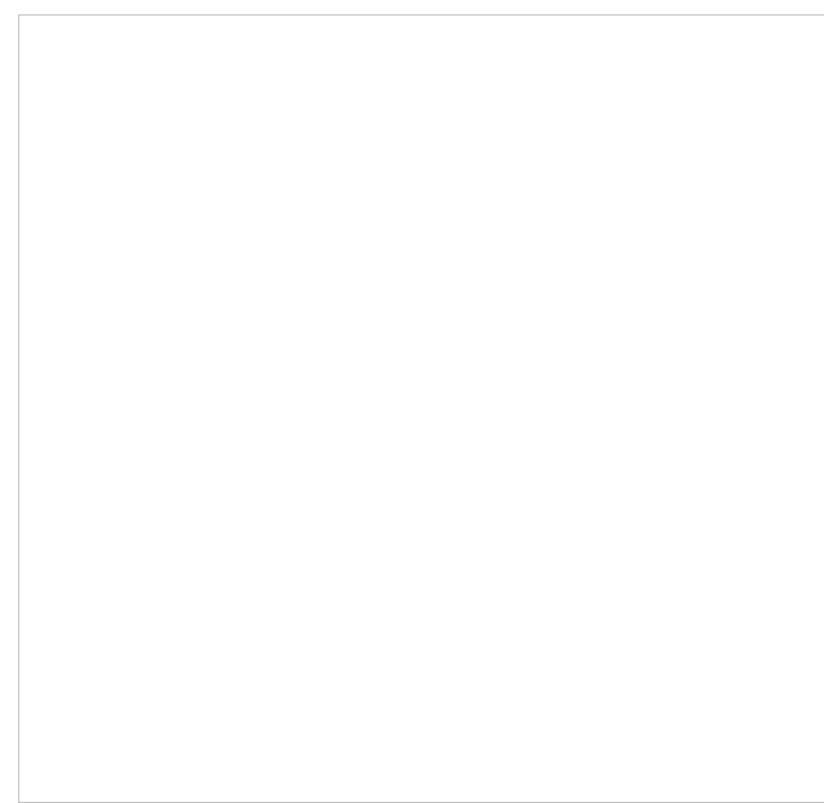
Subject: RE: 2 rapare street

To: Ricky Wong <jsrconstruction.nz@gmail.com>

Hi Ricky

I can see the thermal break in both those photos so no need to go to site.

Cheers Tom



Tom Ashwin 03 33 88 235

Project Manager **0274 800 208**

Hagley Windows & Doors tom.ashwin@hagley.co.nz

www.hagley.co.nz

Waterloo Business Park

926 Halswell Junction Road

Christchurch 8042

New Zealand

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Sustainability | Please consider the environment before printing this email.

From: Ricky Wong <jsrconstruction.nz@gmail.com>
Sent: Monday, 31 October 2022 9:56 AM
To: Tom Ashwin <tom.ashwin@hagley.co.nz>
Subject: Re: 2 rapare street

I had covid , you can get in lockbox and gate 1988

On Mon, 31 Oct 2022, 08:18 Tom Ashwin, <tom.ashwin@hagley.co.nz> wrote:

| What time will you be on site?

Tom Ashwin 03 33 88 235

Project Manager **0274 800 208**

Hagley Windows & Doors tom.ashwin@hagley.co.nz

www.hagley.co.nz

Waterloo Business Park

926 Halswell Junction Road

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From: Ricky Wong <jsrconstruction.nz@gmail.com>

Sent: Monday, 31 October 2022 8:14 AM

To: Tom Ashwin <tom.ashwin@hagley.co.nz>

Subject: Re: 2 rapare street

Papers yes, but what onsite is different stories, please come to have a look

On Mon, 31 Oct 2022, 08:01 Tom Ashwin, <tom.ashwin@hagley.co.nz> wrote:

| Hi Ricky

| I have just checked our paperwork here and all items are thermally broken as requested.

| The client didn't want Argon Gas to the Double Glazed Units so this was not provided.

Tom Ashwin 03 33 88 235

Project Manager **0274 800 208**

Hagley Windows & Doors tom.ashwin@hagley.co.nz

www.hagley.co.nz

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From: Ricky Wong <srconstruction.nz@gmail.com>
Sent: Sunday, 30 October 2022 5:07 PM
To: Tom Ashwin <tom.ashwin@hagley.co.nz>
Subject: 2 rapare street

Hi Tom go see why some doors are not thermal broken

--
Project Manager

Ricky Wong
JSR CONSTRUCTION LTD
0221018468





Harry Lo <harrykhlo@gmail.com>

Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.

1 message

Harry Lo <harrykhlo@gmail.com>
 To: Ricky Wong <jsrconstruction.nz@gmail.com>
 Cc: Matt McLelland <matt.mclelland@hagley.co.nz>

Wed, Dec 21, 2022 at 9:59 PM

Hi Ricky,

Thank you for your information.

I have not agreed to the conditions of replacement and warranty stated in Matt's email below on 21 Dec 2022.

I will initiate the mediation in due course.

Thank you for your attention.

Kind regards,

Harry

On Wed, Dec 21, 2022 at 9:24 PM Matt McLelland <matt.mclelland@hagley.co.nz> wrote:

Good evening Harry and Ricky,

I have mentioned this to Ricky but just wanted to email to confirm that we have agreed to replace the non-thermal extrusions for you.

We have ordered the material and this is due to arrive mid to late January (since the supplier also has a break over the holiday period) and we can change this over on site once it arrives.

I can confirm that you will receive a warranty for the windows and doors, however, the warranty does not cover any thermal bowing or any issues related to this. Thermal bowing is a temporary condition that can occur when the temperature on an extrusion is different on one side compared to the other. To avoid this we originally supplied you with our standard aluminium stiles which still reach the R-Value requirement of the new building code for thermal heart joinery, but this was not satisfactory to you.

I can also confirm that the fixed interlocker has already been supplied as a thermally broken extrusion so this will not be changing, there is no other extrusion or alternative here that could be put in its place and APL have only the one thermally broken fixed interlocker which I can confidently say has been installed as you have pointed out in your photo.

This extrusion has been supplied and installed in line with the APL manufacturing pack provided to us which Hagley and all of APLs other manufacturers follow.

Thanks for your time,

Cheers

Matt McLelland
 General Manager
Hagley Windows & Doors

03 33 88 235
 0274 800 803
matt.mclelland@hagley.co.nz
www.hagley.co.nz

Waterloo Business Park
 926 Halswell Junction Road
 Christchurch 8042
 New Zealand



Merry Christmas from the Hagley team.

We close down for Christmas at 12pm on Thursday 22 December 2022 and reopen on Monday 16 January 2023.

The content of this email may contain information that is confidential to the named recipient and/or subject to legal privilege. If you are not the intended recipient, you must not use, distribute or copy this email. If you have received this email in error, please notify the sender immediately and delete the email. Any views expressed in this email do not necessarily reflect those of the Hagley & Thermaseal group of companies.

[Sustainability](#) | Please consider the environment before printing this email.

From: Harry Lo <harrykhlo@gmail.com>
Sent: Tuesday, 20 December 2022 7:33 PM
To: Ricky Wong <jsrconstruction.nz@gmail.com>
Cc: Matt McLelland <matt.mclelland@hagley.co.nz>
Subject: Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.

12/27/22, 6:27 PM

Gmail - Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.

Kia ora Ricky,

Thank you for your updated information.

Would you provide us with a full warranty of the thermally broken sliding doors and windows after the replacements of any components of the sliding doors and windows?

In short, you are required to at least but not limited to replace the fixed interlocker and stiles with full warranty of the entire products. The details are given below.

You shall provide us with the following:

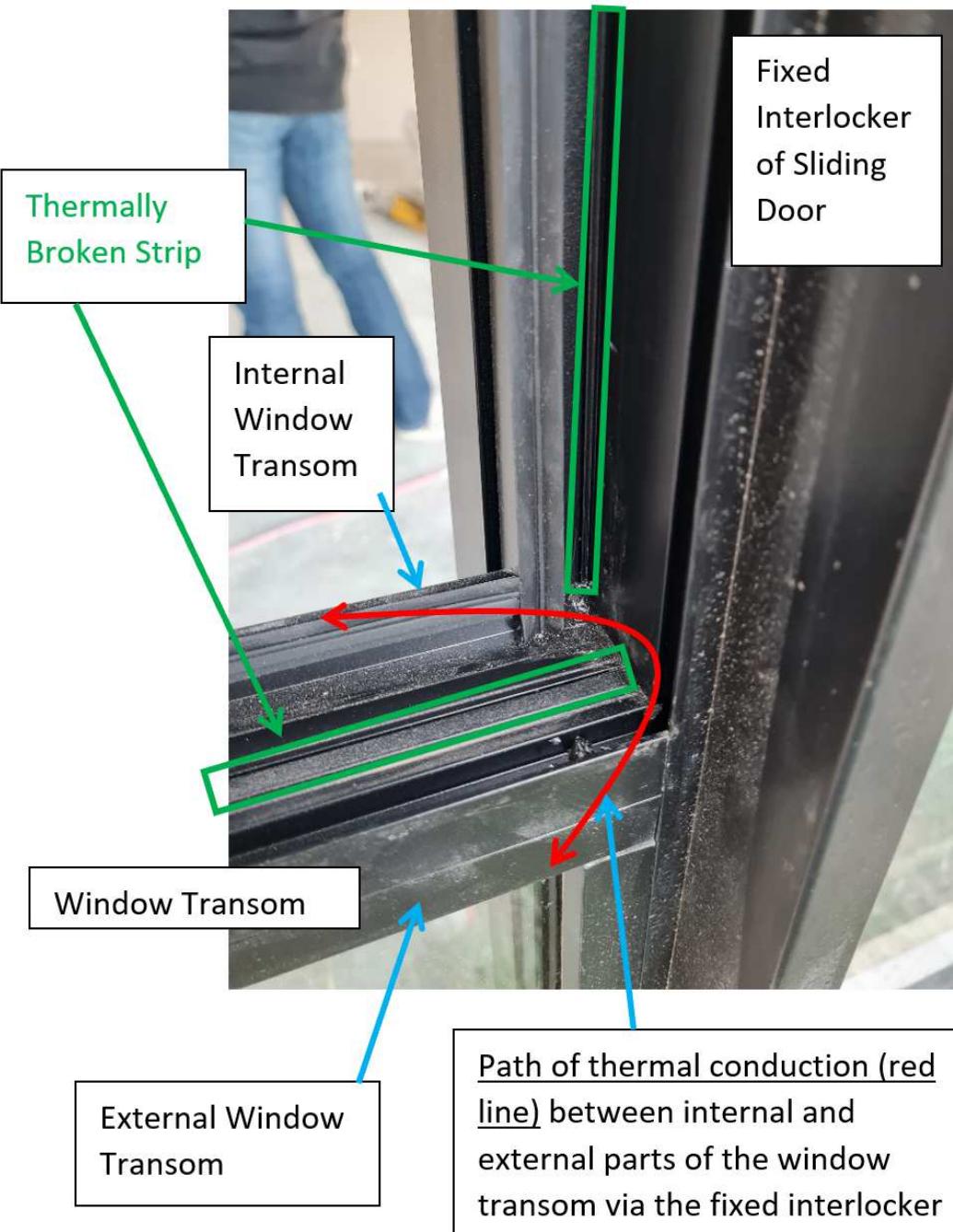
1. You shall replace all non-thermally broken components of the sliding doors and windows which including but not limited to the stiles and fixed interlocker. There is a path of thermal conduction where it is not thermally broken at the joint of the window transom and sliding-door fixed interlocker as indicated by the red line on the marked photo as shown on Photo 1 below. The same photo without marking is given side by side for easy reference. You are required to change the fixed interlocker to have the proper thermally broken strip align with the strip on the window transom. I also took a thermal image (see Photo 2) with the sunshine reaching half the height of the sliding door. It showed that the non-thermally broken components (the joint in between the interlocker and the window transom, and the stiles) creating a thermal conduction between the internal and external parts of the thermally-broken members (e.g. bottom of the sliding door frames and the window transom).
2. You shall provide full warranty of the thermally broken sliding doors and windows after the replacement. Hagley Windows & Doors mentioned that, on their email, they will not provide us with the warranty of the sliding doors if they change the stiles of the sliding doors (refer to the part is highlighted yellow on the email from Hagley Windows & Doors on 17 Nov 2022 at 3:42pm at the screenshot below). I do not accept the product without the warranty.

Thank you for your kind help.

Nga mihi,

Harry

Photo 1: Path of thermal conduction at the joint of window transom and sliding-door fixed interlocker and the same photo without marking is given side by side for easy reference

Marked photoSame photo without marking

12/27/22, 6:27 PM

Gmail - Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.

Photo 2: Thermal image of the sliding door and window with the sunshine reaching half the height of the sliding door. It showed that the non-thermally broken components (the joint in between the interlocker and the window transom, and the stile) creating a thermal conduction between the internal and external parts of the thermally-broken members (e.g. bottom of the sliding door frames and the window transom).



12/27/22, 6:27 PM

Gmail - Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.

Screenshot: Hagley Email about non-warranty arrangement

----- Forwarded message -----
From: Tom Ashwin <tom.ashwin@hagley.co.nz>
Date: Thu, Nov 17, 2022 at 3:42 PM
Subject: RE: Building Dispute MB # 050417 - JSR Construction: Job No.27363
To: Ricky Wong <jsrconstruction.nz@gmail.com>
Cc: Matt McLelland <matt.mclelland@hagley.co.nz>

Hi Ricky

Thank you for sending this through.

I have spoken to our manager regarding the homeowners concerns with the Sliding Door Stiles being non-thermally Broken.

We have three options here:

1. We are prepared to change the six Sliding Door Stiles on site to the Thermally Broken Stiles but the homeowner needs to be aware of the potential for Thermal Bowing especially being a dark powder-coat colour and therefore **does not carry a warranty**.
2. Credit back the difference in cost between the standard Aluminium Stiles and the Thermally Broken Stiles which works out to be \$21.50 + GST per Stile. Total \$129.00 + GST
3. More than happy for yourself and the homeowner to come into our Office and discuss the options and homeowner's expectations.

Kind Regards Tom

Tom Ashwin
Project Manager
Hagley Windows & Doors
03 33 88 235
0274 800 208
tom.ashwin@hagley.co.nz www.hagley.co.nz Hagley Windows & Doors Facebook
Ha
Hagley

On Tue, Dec 20, 2022 at 4:37 PM Ricky Wong <jsrconstruction.nz@gmail.com> wrote:

Hi Harry & Jessica

How are you?

Just to let you know that Hagley aluminium has re-ordered all the stiles in thermally broken and we will replace these on site for you once they arrive.

They are expecting the metal to arrive in mid to late January.

Thanks

Ricky

----- Forwarded message -----

From: Ricky Wong <jsrconstruction.nz@gmail.com>
Date: Sun, Dec 11, 2022 at 8:49 AM
Subject: Fwd: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.
To: Matt McLelland <matt.mclelland@hagley.co.nz>

On Sat, Dec 10, 2022 at 7:15 AM Harry Lo <harrykhlo@gmail.com> wrote:

Hi Ricky,

Hope all is going well with you.

I am writing to check how the remedial work for the aluminium sliding doors is going, since I have not received any reply to my previous email below.

How is the remedial work going?

Looking forward to your reply.

Thank you for your help.

Merry Christmas,

Kind regards,

12/27/22, 6:27 PM

Gmail - Re: Incorrect Thermal broken Aluminum Joinery: 2 Rapare St. Job No.27363 - JSR Construction.

Harry

On Wed, Dec 7, 2022 at 10:45 PM Harry Lo <harrykhlo@gmail.com> wrote:

Hi Ricky,

How are you getting on the remedial work for the aluminium sliding doors? Can we meet in person or talk over the phone tomorrow (8 Dec 2022) around 5pm to check the process?

Thanks.

Harry

On Sun, Dec 4, 2022 at 8:30 AM Harry Lo <harrykhlo@gmail.com> wrote:

Hi Ricky,

Thank you for your time to clarify the non-thermally-broken aluminium on site on 1 December 2022.

We have clarified that:

1. All the stiles of the sliding doors are not thermally broken (referring to the photo 3 in my email on Nov 20, 2022 at 10:06 PM)
2. All the fixed interlockers of the sliding doors are missed a thermally-broken strip (referring to the photo 2 in my email on Nov 20, 2022 at 10:06 PM). Note that these fixed interlockers are also a part of the adjacent windows.

You are requested to replace all the entire windows and doors which are partially non thermally broken. The warranty of the affected products has to be valid after the replacement.

Please do not hesitate to let us know if there are any concerns or disagreements.

Thank you for your kind help.

Kind regards,

Harry

On Thu, Nov 24, 2022 at 7:51 PM Harry Lo <harrykhlo@gmail.com> wrote:

Hi Ricky,

Why do you give this excuse so late after the installation? Do you know this problem before the installation or before you choose Hayley?

If I know their incapability earlier, I stop you using Hayley. There are a lot of other companies capable of providing proper thermally broken aluminium windows and doors, for example, attached Raylight's quotation here.

You are required to replace all the entire windows and doors which are partially non thermally broken by a capable supplier who can provide proper thermally broken products (e.g. attached Raylight's quotation) without the aforementioned problem. The warranty of the affected products has to be valid after the replacement.

Thank you for your kind help.

Kind regards,

Harry

On Thu, Nov 24, 2022 at 6:47 PM Ricky Wong <jsrconstruction.nz@gmail.com> wrote:

Hi Harry & Jessica

Do you understand this statement below? if not please call me I explain to you.

"Around 3 years ago the group of window manufacturers met together at an APL conference and discussed a common problem we were facing with the interlocker and stiles of the sliding door units.

We were finding that particularly with darker colour joinery, the product would bend and bow in direct sunlight and the doors were not able to be operated as you can see in the attachment above from APL.

After thorough investigation in New Zealand and overseas, APL made the decision to supply the interlocker and stiles of the sliding door units without a thermal break in it as standard.

They modelled these sliding doors to see what the loss percentage of the thermal retention or R Value of the product would be with this solution and found that it was as low as only 4% lost through the unit due to this solution. APL then compared this to the building code and the R Values required for a thermal suite to achieve and have confirmed that this solution still complies as a thermal system.

To sum up, Hagley are a manufacturer of windows from APL and certainly haven't made this decision ourselves without the confidence that the product is up to scratch and compliant."