

# ANDREW HOUGH

Barrister & Solicitor

## **Contact**

21 Hebron Road, Waiake  
021 718881  
[hough28@gmail.com](mailto:hough28@gmail.com)

## **Education**

Admitted to High Court of New Zealand (2005), Supreme Court of Victoria (2011), and High Court of Australia (2011)

Auckland University 2000 – 2003: LLB (Hons)

Saint Kentigern College 1993 – 1999: A Bursary

## **Profile**

Energetic and detail-oriented lawyer with 20 years in litigation. Deep experience in construction disputes and track record of recovering millions for owners afflicted by leaky building issues. My aim is to get to the crux of a matter as soon as possible to deliver commercially astute legal advice.

I joined the partnership at Grimshaw & Co in 2018 and take pride in my work whether operating autonomously or as part of a team. Throughout my career I have developed skill in managing staff and key stakeholders.

## **Key skills**

Excellent verbal and written communication  
Attention to detail  
Legal research and writing  
Oral and written advocacy  
Alternative dispute resolution

## **Interests**

Fishing/boating  
Rugby league (Brisbane Broncos)/sport in general  
Gardening

## **Referees**

Paul Cogswell – Barrister/mediator 021 941571  
Brett Martelli – Director, Martelli Yaqyub Lawyers 09 300 3153

## **Employment history**

### **Grimshaw & Co Auckland, New Zealand**

Partner: 2018 - present

Senior Associate: 2015 – 2018

Civil and commercial litigation practice with an emphasis on defective building claims/defences, advice and representation for Bodies Corporate under the Unit Titles Act 2010 and general property disputes.

Sample matters:

1. Acting for property owners and contractors bringing and defending building defect claims including:
  - (a) Recovering \$22m for a 278-unit complex in central Auckland affected by weathertightness, structural and passive fire issues;
  - (b) Recovering \$10.5m for a 36-unit complex in Flatbush affected by weathertightness, structural and passive fire issues;
  - (c) Recovering \$15m for a 109-unit complex in Mount Albert affected by weathertightness, structural and passive fire issues.
2. Successfully overcoming an engineer's limitation defence to a defective building claim, including an appeal decision that is widely cited (*ISP Consulting Engineers Limited v BC 89408* [2017] NZCA 160).
3. Providing advice and assistance to Bodies Corporate in Unit Titles Act matters, including section 74 repair schemes and levy disputes.
4. Bringing the first claim of its kind under section 80(1)(g) of the Unit Titles Act seeking a mandatory injunction to force a unit owner to comply with their repair and maintenance obligations.
5. Negotiating access for a cross lease owner to undertake drainage repairs on the neighbour's exclusive use area.
6. Acting for Body Corporate secretary on claim for unjust enrichment following a mistaken payment.
7. Co-presenter *Dealing with Disclosure*, Wolters Kluwer, December 2023.
8. Co-presenter *Navigating Defective Building Litigation*, ADLS, October 2021.

**Heaney & Partners (formerly Heaney & Co), Auckland**

Senior Associate: March 2014 – July 2015

Solicitor: September 2012 – March 2014

I spent 3 years working for Heaney & Partners on a mixture of commercial disputes, insurance/reinsurance cases and local government cases.

Following the Canterbury Earthquake sequence, I assisted the Local Authority Protection Programme Disaster Fund in recovering millions from reinsurers.

I was often called upon to provide strategic advice to councils, mainly relating to negligence claims (building defects, siting issues, producer statement issues). During this time, I successfully brought one of the first claims under the Fair Trading Act on behalf of a Council misled by the director of a building company (*Wellington City Council v Dallas* [2015] NZCA 126).

**King & Wood Mallesons (formerly Mallesons Stephen Jaques), Melbourne, Australia**

Senior Solicitor: June 2011 - August 2012

I spent a 15-month stint at one of Australia's largest firms and saw its merger with a substantial Chinese firm to become a global player in the legal industry. During this time, I was immersed in complex, high value litigation and arbitration work on both domestic and cross border disputes.

**Grimshaw & Co Auckland**

Associate: November 2008 – May 2011

Staff solicitor: November 2005 – November 2008

**Cairns Slane**

Staff solicitor: February 2005 – November 2005

Law Clerk: December 2003 – February 2005

Early in my career I was involved with novel, large scale cases, in particular claims associated with the emergence of the leaky building crisis in New Zealand.

**Sample judicial decisions**

*Body Corporate 392418 v Chan* [2022] NZHC 503, [2022] NZHC 2486

*Affordable Housing Ltd v Body Corporate 396511* [2021] NZHC 3149

*Body Corporate 417948 v Watts and Hughes Construction Ltd* [2018] NZHC 2692, [2019] NZCA 113, [2019] NZCA 469

*ISP Consulting Engineers Ltd v Body Corporate 89408* [2017] NZCA 160

*Boutique Body Corporates Ltd v Covekinloch Auckland Ltd* [2016] NZHC 1729

*Heli Holdings Ltd v The Helicopter Line Ltd* [2016] NZHC 976

*Wellington City Council v Dallas* [2014] NZCA 631, [2015] NZCA 231