



UNDERSTANDING THE CONDOMINIUM COMMON ELEMENTS WARRANTY

All condominiums come with some common elements. Recreation facilities such as pools, fitness facilities, party rooms and picnic spaces are some examples. In addition to other shared spaces like roofing, parking structures, exterior cladding, and some mechanical systems, these elements are all covered under a common element warranty that is managed by your condo's board of directors. Here is a look at this warranty coverage and how it works.

The Role of the Condo Board

The board of directors is made up of a group of unit owners who are elected to run the condominium corporation on behalf of all unit owners.



Any warranty claims relating to the condominium's common elements must be dealt with by your condo's board of directors, but as a unit owner you should report any potential common element issues to the board in writing. The process for making common element warranty claims is usually more involved than claims related to a single unit, so it's important that board members understand the process.

The board will identify a designate who will act as the representative if a warranty claim is made. Many boards choose to have a property management company fulfill this role.

Managing the Common Elements Warranty

Once the designate has been appointed, they should schedule a meeting with Tarion to discuss the common elements warranty. This is a chance for Tarion representatives to ensure that the designate fully understands the process.



Just like the warranty on your individual unit, there are specific terms for the first and second year warranties and for the seven year major structural defect warranty.

The Performance Audit and Repairs

The next step is for the condo board to arrange for a post-construction performance audit. The audit will determine whether there are any major deficiencies in the common elements and report them to the builder and Tarion.

Once a claim is submitted, the builder has 18 months to complete the required repairs. This is a much longer time-frame than the repair period given for individual unit claims. It takes into account the time consuming nature of many common element repairs and the large scale of many of the shared elements. Once this initial repair period ends, the condo corporation has 60 days to contact Tarion and request an inspection if any of the warranted items have not been resolved.

After the inspection, Tarion will issue a report listing any items that are covered under warranty and provide 90 days for the builder to complete any outstanding work. If the repairs aren't completed, Tarion will work directly with the condo corporation to settle the matter.



As a unit owner you should report any potential common element issues to the board of directors in writing.

Contact Us

General Inquiries: 1-877-982-7466

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www.Tarion.com

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