

Additional Requirements for Field Review Consultants Under BB19R and BB51 (Condo Conversion)

Introduction

As of January 1, 2018, the *Ontario New Home Warranties Plan Act* (ONHWP Act) was amended to extend certain statutory warranties to residential condominium conversion projects (**RCCPs**). Vendor/Builders are required to arrange for additional investigative work and reports to be developed in relation to the pre-existing elements that are remaining in the new project. The details of what is required in these reports are outlined in Builder Bulletin 51.

The following summarizes the requirements for Field Review Consultants (FRCs) when working on a RCCP.

FRC responsibilities

This additional warranty increases the responsibilities of FRCs when working on RCCPs. FRCs are required to use Builder Bulletin 51 (BB51) in conjunction with Builder Bulletin 19R (BB19R).

Three new reports will be prepared by the vendor/builder. The FRC is required to review these reports to understand the relationship between the pre-existing elements and new construction. The new reports are as follows:

- Property Assessment Report
- Capital Replacement Plan
- Pre-existing Elements Fund Study

Detailed information on the contents of the above reports can be found in [Builder Bulletin 51](#).

When to use BB51 Documents

BB19R will apply to all RCCPs, regardless of the type of construction (Type A, B, C, and D). This means a small Part 9 building being converted to a condominium will require BB19R reporting. It is important to make sure that the FRC is made aware that a project is an RCCP. When a project is an RCCP, both BB19R and BB51 are to be used.

Additional requirements in BB51

BB51 requires an FRC to provide additional information in the Scope of Work (SOW). The FRC must review the property assessment report, the capital replacement plan and the pre-existing elements fund study to understand the pre-existing elements, the repairs, modifications and/or replacements related to the pre-existing elements that are to be completed prior to registration as well as understand the expected major repair schedule.

For the repairs, modifications and/or replacements to the existing building being completed prior to registration (per the pre-existing elements fund study), the FRC's SOW should include an additional table of risk areas (risk area 12) related to the planned repairs, modifications and/or replacements. **A set of BB19R documents specific to RCCP's can be found on FRC Connect.**

For each planned repair, modification and/or replacement, the field review consultant shall propose the related document review, field review and proposed number of visits that will be completed to provide technical oversight of the work.

Like any other risk area, these will need to be signed off by the appropriate design consultant and carried through BB19 reporting to the final declaration.

Additional design review certificates and field review declarations may be needed related to these other consultant roles if the works are not being overseen by the main design team. The scope of work should directly address the structural adequacy of the building and, if necessary, Tarion may request a report from a structural engineer to address any concerns.

Milestone 5 and the Code Consultant

As part of a Residential Condominium Conversion Project (RCCP) – Builder Bulletin 51, Vendors/Builders are required to retain a code consultant to review and identify the 'Path to Code Compliance'. This report is to be provided to Tarion as Milestone 5.