

Air conditioning is a 'hot' issue



HOWARD BOGACH
**YOUR
NEW HOME**

The summer heat is finally here and some new homeowners who decided to forgo installing air conditioning may now be reconsidering that decision. Others may find themselves sweating through days where the humidex has been in the high 30s because their air conditioner isn't working.

At this time of year, air conditioning is a 'hot' issue and our Customer Service team is kept busy responding to warranty-related questions about A/C installation, function and damage.

When installed by the builder, an air conditioner is covered under the one-year warranty for defects in work and materials. One of the most common questions we get, however, is whether it's possible to void the warranty on a furnace by having someone other than your builder install your air conditioner.

This isn't a simple 'yes' or 'no' answer. A builder may suggest that having a third-party contractor install the air conditioner (which has to be connected to the furnace) means that someone will be altering their work and therefore the warranty on the furnace should no longer apply.

While this might discourage homeowners from buying their A/C unit independently, the statement isn't necessarily true.

If a contractor hired by the homeowner installs an air conditioner and causes a problem with

the furnace, then the builder would not be held responsible under the warranty to repair the furnace. This would fall under "alterations, deletions, or additions" to the home that were made by the homeowner, and the warranty is clear that these are not covered.

However, if there was a problem with the furnace and, upon investigation, it had nothing to do with how the air conditioning was installed, the builder would be required to fix it (assuming that the problem was a warranted item and was reported within the appropriate warranty period).

Another common question has to do with whether a broken air conditioner constitutes an 'emergency'.

A complete loss of cooling due to the failure of a builder-supplied air conditioner between May 15 and September 15 (during the first year of possession) is considered an urgent situation and should be reported to Tarion right away.

If you live in a condominium, the air conditioning may be part of the common elements, so any problems would need to be reported to the condominium corporation's Board of Directors.

Air conditioning can help make your home cool and comfortable when it's working as it should. Our latest blog offers tips on air conditioners and other summer maintenance so be sure to check it out on Tarion.com.

— **Howard Bogach is president and CEO of Tarion Warranty Corp. which protects the rights of new home buyers and regulates new home builders in Ontario. Visit www.tarion.com.**