

ADVISORY ON THE USE OF VIRTUAL INSPECTIONS TO CONDUCT CONCILIATIONS

In response to the COVID-19 outbreak and the government's physical distancing directives, Tarion suspended all in-person conciliations beginning March 16th. In order to assist homeowners whose repair periods expired prior to the declaration of emergency on March 16th, Tarion is offering these homeowners the option of having their conciliation via virtual inspection (depending upon the type of issue).

If a homeowner chooses to proceed with a conciliation via virtual inspection, a builder will receive seven days notice and a list of the items that will be included as part of the conciliation. The builder will be asked to participate in the virtual inspection. The homeowner and builder will be contacted separately by a Tarion representative prior to the inspection to discuss the items that will be reviewed during the inspection.

A Warranty Assessment Report will be issued to both the homeowner and the builder after the inspection, outlining the warranty assessment for the items that were viewed during the virtual inspection. The builder will then have the post-conciliation repair period (30 days) to address any warranted items. The timeline for the post-conciliation repair period will commence when the emergency order is lifted, and any further extensions communicated by Tarion have passed. Chargeability will not be assessed at the time of the virtual conciliation inspection. Instead, chargeability will be assessed at a claim inspection (if one takes place) based on whether the builder repaired the warranted defects prior to a claim inspection being conducted by Tarion. The following Q&A will help provide additional information about this process.

How does a virtual inspection work?

A homeowner downloads a free app on their mobile phone, then calls Tarion and uses the app to provide a live video feed that is viewable by the Tarion representative. Tarion will then send a link to the builder representative to join the live video feed on their own device. Being able to see what the homeowner is seeing, the Tarion representative can ask questions, provide directions and take measurements using this virtual inspection technology. The builder representative and the homeowner will also be able to provide their input on the issues being reviewed at the inspection. Tarion may record the inspection or take photographs during the inspection and the recordings and photographs will be available to the homeowner and the builder.

While a virtual inspection can't necessarily replace onsite inspections for every potential issue, it can be a viable and convenient option for many situations.

Why is Tarion offering virtual inspections?

Tarion has been using virtual inspection technology on a case-by-case basis since 2019, as a way to make inspections more convenient and accessible for homeowners. During the time of the emergency orders, we are offering virtual inspections as a contactless way for homeowners whose builder repair periods expired prior to March 16 to obtain assessments on their issues while physical distancing directives are still in place.

How can I be sure that the virtual inspection software accurately shows the issue in the home?

By using a live video feed, a Tarion representative is able to see what a homeowner sees in real time. In addition, the software makes it possible to take virtual measurements, which the homeowner can verify with their own measurements at the same time if they wish.

What if I feel the virtual inspection software doesn't accurately depict the issue?

Both homeowners and builders are entitled to view the recording, photographs and the measurements (if any are taken) from the virtual inspection. If after reviewing the footage a homeowner or the builder does not feel that it accurately depicts the issue, they can let the Tarion representative know and we can consider next steps, which may include a reinspection.

What is the builder's role during the virtual inspection?

The builder can participate in the virtual inspection along the same lines as an in-person inspection. They can provide their input on the issues being reviewed, can ask questions of the homeowner and the Tarion representative, and can ask that the homeowner provide a different angle of the item being reviewed. As with in-person inspections, Tarion expects that the parties at a conciliation will act professionally and respectfully towards one another.

Will these virtual inspections be chargeable?

For the period in which the emergency order is in place, the chargeability assessment will not occur at the time of a virtual inspection. The assessment of chargeability will occur if or when a claim inspection occurs. If the items are resolved prior to the claim inspection, in these circumstances, chargeability will not apply. In addition, the exceptions to chargeability listed in Builder Bulletin 20 may apply during the period between the virtual inspection and the claim inspection (i.e. during the repair period).

How do I raise an issue with the inspection?

If after reviewing the recording, photographs and/or measurements from the virtual inspection a homeowner or builder does not agree with the results of the inspection or the assessment, they can advise the Tarion representative and we will then consider next steps, which may include scheduling an in-person reinspection once the emergency order is lifted.