

## **ADVISORY FOR HOMEOWNERS & BUILDERS: REINSTATEMENT OF TIMELINES**

The Government of Ontario's Emergency Order that suspends certain statutory limitation periods (including warranty submission timelines, requests for conciliation and builder repair periods) under the Ontario New Home Warranties Plan Act is in place until September 11, 2020. As the COVID-19 outbreak restrictions have been gradually eased and more businesses are resuming operations, Tarion has carefully considered the ongoing impacts of delaying repairs on both homeowners and builders and has determined that it should exercise its discretion to reinstate timelines and re-start in-person inspections.

### *Warranty claim submissions + requests for conciliation*

- Homeowners and condominium corporations with warranty claim submissions (30-day, Year-End, Second-Year, Major Structural Defects, delayed closing, performance audits, financial loss and deposit claims) that were due between March 16 and September 11, 2020 have until September 11, 2020 to submit their forms. All forms due after September 11, 2020 should be submitted on-time according to their due date.
- Homeowners and condo corporations that were eligible to request a conciliation between March 16 and September 11, 2020 have until September 11, 2020 to submit this request. Postponed conciliations and inspections will be rescheduled at the earliest possible date.
- Since March 16, 2020, all conciliation fees have been waived and will continue to be waived until the end of the year.

### *Builder repair periods*

- Builders will have 45 days beginning July 13, 2020 to remobilize trades, supplies and staff and organize scheduling before repair periods are reinstated on August 27, 2020.
- Builder repair periods for warranty forms that were submitted between March 16 and August 26, 2020 will commence on August 27, 2020.
- For forms that were submitted before March 16, 2020, builder repair periods will resume on August 27, 2020 at the point at which they were suspended. For example, if a repair period was suspended at day 21 of a builder repair period, the balance of the repair period will resume on August 27, 2020, at day 22.
- During the remobilization period, it is Tarion's expectation that builders will continue to respond to warranty issues related to emergencies and health and safety – including water penetration, radon, mould, structural issues.
- Builders will be expected to communicate with their homeowners and condominium corporations regarding scheduling of repairs and the health and safety measures that will be taken.

### *Inspections*

- Tarion will start scheduling in-person inspections beginning on July 13, 2020. Inspections will take place under strict protocols based on the health and safety guidelines endorsed by the Government of Ontario. These protocols will include the use of personal protective equipment (PPE) and physical distancing where possible. Details on these protocols will be shared with all parties in advance of the inspection.
- Prior to an inspection, Tarion staff conducting the inspection, the homeowner (on behalf of anyone who will be present in the home during the inspection) and the builder's representative, will be asked to complete a pre-screening health questionnaire based on the current self assessment tool published by the Government of Ontario which can be found here: <https://covid-19.ontario.ca/self-assessment/r3>
- If a homeowner is not comfortable providing access to the home for the inspection while the Emergency Order is still in place, Tarion will work with them to determine possible options, including virtual inspections, desk assessments or postponing to a future date.

### *Other Concerns or Questions*

- If you have any concerns or questions, contact Tarion's Customer Service team at 1-877-982-7466 or email [covid19@tarion.com](mailto:covid19@tarion.com)