

GUIDANCE FOR PRE-DELIVERY INSPECTIONS DURING COVID-19

Current status of Pre-Delivery Inspection (PDI) obligations

Given the current public health situation, we do not consider it absolutely necessary that the PDI occur prior to a closing in the presence of both the builder and the homeowner.

However, it is Tarion's position that:

- in-person PDIs can happen if participants adhere to provincial health and safety and physical distancing guidelines,
- both parties agree to the conditions under which the PDI would be carried out,
- if one or both parties do not consent to an in-person PDI, we recommend that builders and homeowners each conduct their own separate reviews of the home.

Builders and homeowners are encouraged to complete in-person PDIs where it can be done safely

The PDI is typically a surface review of the home by the homeowner together with the builder before possession or occupancy in order to document the state of the home and identify any items of damage. It is also an opportunity for the builder to explain the home's systems to the homeowner. It is important to remember that a PDI is not a health and safety inspection or structural inspection of the home for the purpose of occupancy. The PDI is separate from municipal inspections.

In order to assist homeowners and builders who wish to conduct an in-person PDI, Tarion has put together the following guidelines for consideration. Please note that this guidance provides basic information only and is not intended to take the place of public health advice, nor does it constitute legal advice. We recommend that builders and homeowners consult with their legal advisors for any questions regarding risk or liability, and that they monitor current health advice issued by the province. Updates from the province on health matters relating to COVID-19 can be found [here](#).

Health and safety precautions when conducting a PDI

It is important that builders and homeowners have clear lines of communication around what health and safety precautions will be followed and how they will be followed during the PDI.

The following guidelines should be considered by homeowners and builders:

1. **The builder** should provide a written document (digital or hard copy) to the homeowner setting out the builder's COVID-19 safety protocols for the PDI. These protocols should include the following:
 - Ensuring the builder representative confirms their health status before the PDI;
 - Limiting the number of individuals who attend the PDI while still respecting homeowners' rights to have a support person participate as needed (e.g., expert assistance, translator, parent, spouse);
 - Allowing for contactless approval of PDI form and transfer of the Homeowner Information Package or any other documentation;
 - Physical distancing of two metres where possible and the use of personal protective equipment (PPE) while in the home;
 - Ensuring as much as possible that demonstration of the home's systems/fixtures/plumbing or other features be handled by the builder's representative to reduce the amount of contact a homeowner has with the home's surfaces;
 - Stopping the furnace from circulating air in the house for one hour before the PDI, and opening windows during the PDI if possible;

2. **The homeowner** should:
 - Confirm health status prior to the PDI;
 - Maintain a physical distance of two metres where possible;
 - Minimize the number of people participating in the PDI;
 - Wear PPE (non-medical grade or cloth mask) if possible;

Use of a pre-screening questionnaire is a best practice

We suggest that both the builder representative and the homeowner, and anyone accompanying the homeowner, complete a pre-screening questionnaire. Each party should share the results of their completed questionnaires by phone or email with the other prior to the scheduled PDI. There is a sample pre-screening questionnaire attached as Schedule 1 that is based on the current self assessment tool published by the Ontario government, found [here](#).

Builders and homeowners should complete separate reviews of the home, if health and safety concerns are identified

In the event that both parties do not consent to an in-person PDI, we recommend that builders and homeowners each conduct their own separate reviews of the home.

Builders should complete their review of the home prior to the homeowner taking possession or occupancy and document the condition of the home. The homeowner should conduct their own “delivery” inspection as soon as reasonably possible after taking possession or occupancy and document as best they can (including photos and/or video) any evident deficient work or materials, any missing or incomplete items or damages which they discover and believe were caused prior to when they took possession or occupancy.

The records of the homeowner and builder can serve as evidence of the state of the home close to possession/occupancy and may be helpful in the event a dispute arises later as to whether an item of damage was caused by the homeowner or builder.

How the PDI is conducted will not impact warranty coverage

The PDI Form is not a Tarion claim form, so if an item is not noted on the PDI Form this does not impact its warranty coverage. If a homeowner notes an item on their 30-Day Form that is not on the PDI Form, the item noted will still form part of their warranty claim. The fact that it was not listed on the PDI will be relevant if it is an item of damage, such as a chip in a countertop, that may have occurred after possession. In this case, it will be helpful for the homeowner to show that they noted the damage as close to taking possession or occupancy of the home as possible in the event that the claim is not remedied by the builder and the matter comes to Tarion for resolution.

We urge all parties to approach the occupancy of the home and handling of the PDI in a reasonable way in light of the current health situation in the province.

Important Note: *The information contained in this advisory is intended for general guidance and does not constitute legal or other professional advice. The reader is advised to seek legal advice from their own legal counsel to address their particular circumstances.*

Schedule 1

Sample COVID-19 Self-Assessment Questionnaire

In accordance with current public health advice, the purpose of this questionnaire is to help prevent the spread of COVID-19 and protect the health of both homeowners and builder representatives.

Before a Pre-Delivery Inspection (PDI):

- The builder representative(s) who will be conducting the PDI must review the five questions below and confirm to the homeowner that the answer to each question is NO.
- The homeowner must review the five questions below and confirm to the builder that the answer to each question for themselves and anyone who will be present during the PDI is NO.

The PDI will proceed only if the builder representative(s) and the homeowner provide this confirmation that the answer to each of the questions is NO. If the answer to a question is YES, the PDI should not proceed and should be rescheduled or conducted via other means.

The information may be provided orally (e.g., by phone) or in writing (e.g., by email).

1. Are you currently experiencing, or have you experienced in the last 14 days, any of these COVID-19 symptoms?

- Shortness of breath (out of breath, unable to breathe deeply)
- Cough that's new or worsening (continuous, more than usual)
- Barking cough, making a whistling noise when breathing (croup)
- Extreme tiredness that is unusual (fatigue, lack of energy)
- Sore throat
- Difficulty swallowing
- runny, stuffy or congested nose (not related to seasonal allergies or other known causes or conditions)
- Fever (feeling hot to the touch, a temperature of 37.8 degrees Celsius or higher)
- Pink eye (conjunctivitis)
- Headache that's unusual or long lasting
- Chills
- Muscle aches
- Lost sense of smell or taste
- Digestive issues (vomiting, diarrhea, stomach pain)
- Falling down often
- For young children and infants: sluggishness or lack of appetite

1. Has anyone in your household experienced any of the above symptoms in the last 14 days?
2. Have you, or has anyone in your household, travelled outside of Canada in the last 14 days?
3. In the last 14 days, have you, or has anyone in your household, been in close physical contact with someone who has tested positive for COVID-19 or who has acute respiratory illness?
4. Have you, or has anyone in your household, been asked or recommended to self-isolate by a medical professional?