

April 25, 2019

Dear Registrant:

Registrar's Notice – Terms and Conditions re Restrictive Covenants

This Notice is being issued in connection with a recent condominium project cancellation involving a restrictive covenant on title (although the cancellation itself was expressed to be on other grounds).

You are currently a registered vendor of a condominium project(s). Please be advised of the following:

- Tarion considers the presence of a restrictive covenant on title that would impede residential development and/or sales a significant matter that must be disclosed to prospective purchasers;
- For all future proposed projects, you will be required to disclose the presence of such a covenant to Tarion during the registration process;
- Tarion will not approve (nor accept the enrolment of) a residential condominium project where there is a restrictive covenant on title to the project lands that prohibits or restricts the development and/or sale of the condominium project (or any portion thereof), unless and until Tarion is satisfied, based on the information provided by the declarant/vendor, that the restriction or restrictive covenant:
 - (i) will be removed or discharged from title imminently, or
 - (ii) will not actually impede residential development and/or sales, or
 - (iii) will be disclosed to all prospective purchasers.

These obligations are terms and conditions of your registration pursuant to section 1.6 and 1.11 of Regulation 894 to the *Ontario New Home Warranties Plan Act* and section 1.5 of your Vendor Agreement.

Signed,

A handwritten signature in black ink, appearing to read "H.A. Bogach". The signature is fluid and cursive, with the first name "Howard" and last name "Bogach" clearly legible.

Howard Bogach
Registrar, *Ontario New Home Warranties Plan Act*