Appointment of Designate Form

Condominium Common Elements

To: Tarion Warranty Corporation ("Tarion")
And to: _____("Vendor")
From: _____(the "Corporation")
Re: Address of Condominium Project: _____(the "Project")
Enrolment # for Common Elements: _____("Common Elements")
Designate Name: _____("Designate")
Designate Company Name (if applicable): _____
Designate Phone: _____ **Designate Email:** _____

The Board of Directors, on behalf of the Corporation and after due consideration, authorizes and directs the Designate as follows in respect of the Common Elements of the Project and dealings with Tarion, and confirms Tarion need not inquire into the authority of the Designate to act for and on behalf of the Corporation:

1. Have full power and authority to bind the Corporation with respect to any warranty claim matters under the *Ontario New Home Warranties Plan Act,* as amended;
2. Complete and submit to Tarion and the Vendor any and all: Statutory Warranty Forms and Performance Audits, and any supporting documentation; and agreements with Tarion including but not limited to settlement agreements;
3. Complete, submit to Tarion, and update any and all Performance Audit Tracking Summaries;
4. Request, schedule, cancel, and attend meetings and inspections with Tarion or the Vendor;
5. Request, schedule, and cancel conciliations with Tarion;
6. Receive correspondence and other documents from, and communicate with, Tarion or the Vendor;
7. Discuss with Tarion and the Vendor any and all warranty claim items and matters relating to Statutory Warranty Forms, Performance Audits and Performance Audit Tracking Summaries;
8. Apply to Tarion for and obtain a password to access the Corporation's account on Tarion's online portal, MyHome, and access any and all information and documents, and use any and all features, in the Corporation's MyHome account, including the features relating to paragraphs 2 - 7 above;
9. Provide authorization and set permission levels on the Corporation's MyHome account for 'light users'; who may exercise a subset of the Designate's powers within MyHome; and
10. Enter into and execute any and all agreements with Tarion or the Vendor regarding repair, compensation, withdrawal, waiver or other resolution of warranty claim items.

Unless and until Tarion receives a replacement Appointment of Designate Form, signed and accompanied by a certified copy of a Resolution of the Board of Directors, Tarion shall deal exclusively with the Designate. The Corporation bears the risk of missed deadlines or other consequences of failing to select and authorize a Designate, and failing to appoint a replacement Designate in a timely manner.

CONDOMINIUM CORPORATION PRESIDENT (with authority to bind the corporation)
President Name: _____
President Email: _____
President Phone: _____

RESOLUTION OF THE BOARD OF DIRECTORS

_____

[INSERT FULL NAME OF CONDOMINIUM COPORATION]

WHEREAS:

A. [Insert full name of condominium corporation] _____the "Corporation") was established by registration of the declaration and description for [insert full description of the condominium project] _____(the "Project").

B. In order to facilitate the submission, tracking, processing and general administration of warranty claims relating to the common elements of the Project, the Board of Directors wishes to designate an individual who will have full authority to deal with Tarion Warranty Corporation in connection with such warranty claims.

NOW THEREFORE IT IS HEREBY RESOLVED THAT:

1. [Insert full name of the Designate] _____is hereby authorized and directed to be and act as the Corporation's duly authorized designate in all dealings with Tarion involving warranty claims relating to the common elements of the Project in accordance with and pursuant to the attached Appointment of Designate Form, the terms and provisions of which are hereby expressly authorized, sanctioned and approved.

2. The attached Appointment of Designate Form is hereby authorized and approved.

3. The President of the Corporation is hereby authorized to execute the Appointment of Designate Form as well as such other agreements, certificates, consents, corporate papers and other documents and take all such further action as he or she may deem necessary or desirable in order to give effect to this resolution and the intent of the Appointment of Designate Form.

4. The President's name and signature are set out below:

Name: _____Signature: _____

CERTIFIED to be a true copy of a Resolution passed by the Board of Directors of the Corporation on the _____(day) of _____(month), _____(year), which Resolution remains in full force and effect unamended as of the date hereof.

DATED this _____(day) of _____(month), _____(year).

Secretary Name: _____Secretary Signature: _____