

BUILDER ARBITRATION FORUM

ARBITRATOR'S DECISION

Date of Decision _____

Arbitrator: _____

WAR Date: _____

Builder Name: _____

V/B No. _____

Date of Hearing: _____

Place of Hearing: _____

Appearances by Builder:

Appearances by Tarion:

SUMMARY OF PERTINENT FACTS

Attach additional page(s) to this form if necessary.

DECISIONS

Challenged items found to be warranted

Not applicable

- 1. The Arbitrator finds that the following items appealed from the Warranty Assessment Report are warranted:

Item: _____	Reasons: _____
_____	_____
_____	_____
_____	_____

Item: _____	Reasons: _____
_____	_____
_____	_____
_____	_____

Attach additional page(s) if necessary.

Challenged items found to be not warranted

Not applicable

- 2. The Arbitrator finds that the following items appealed from the Warranty Assessment Report are **NOT** warranted:

Item: _____	Reasons: _____
_____	_____
_____	_____
_____	_____

Item: _____	Reasons: _____
_____	_____
_____	_____
_____	_____

Attach additional page(s) if necessary.

Was the conciliation chargeable?

Not applicable

3. The Conciliation Inspection was found to be (see Builder Bulletin 20): (circle one)

a) Chargeable; or

b) Not chargeable.

Reasons: _____

Order to indemnify Tarion

Not applicable

4. (If applicable) The Builder is ordered to indemnify Tarion in the amount of \$_____ for costs associated with the resolution of one or more of the warranted items appealed in the Arbitration.

Reasons: _____

Tarion ordered to reimburse Builder

Not applicable

5. (If applicable) Tarion is ordered to reimburse the Builder in the amount of \$_____ for repairs or payments made under protest as set out in Rule 2.1.

Reasons: _____

Arbitrator's costs

Not applicable

6. In accordance with BAF Rule 8, the Arbitrator's costs shall be paid by: (circle one)

a) the Builder, in the amount of _____; and/or

b) Tarion, in the amount of _____.

In accordance with BAF Rule 8.5, the Builder's Deposit shall be applied as follows:

- paid to Arbitrator to pay or offset the amount referred to in paragraph (a) above; and/or
- the amount of \$_____ shall be returned to the Builder.

The Arbitrator confirms he or she has no conflict of interest with any party or witness.

This decision is private and confidential.

In accordance with BAF Rule 16.4, this decision is final and binding on the Parties.

Arbitrator's signature

Note: An MS Word version of this document is available to arbitrators upon request.