

Q&A: Information about interim changes to the Customer Service Standard

Effective September 14, 2020, homeowners will benefit from interim changes to Tarion's Customer Service Standards to better protect homeowners, including introducing grace periods for homeowner timelines, making it easier to submit additional claims and having urgent items addressed sooner.

This QA has been developed to answer some common questions from homeowners and builders:

1. What are you changing and how will these measures help homeowners?
2. What is the length of the grace periods that Tarion is proposing?
3. Will the grace periods take away from the length of builder repair periods?
4. Do the grace periods include weekends and holidays?
5. Will homeowners be permitted to add multiple items during the 30-day and year end submission periods?
6. Once in force, will the interim changes apply to all homes?
7. What happens if I submit a claim to Tarion outside the initial 30-day and grace period?
8. For the year-end grace period, what is considered acceptable examples of written evidence of a defect?
9. Are dampness and condensation considered water penetration?
10. Will enrolment fees be increased due to the proposed interim measures?
11. When will these new interim changes come into force and when will the long-term solutions come into force?
12. What is MyHome and how does it help homeowners?

1. What are you changing and how will these new measures help homeowners?

As identified in the Auditor General of Ontario's [report](#), Tarion is making these interim changes to increase homeowners' ability to seek assistance under the new home warranty and protection program:

- Increasing homeowners' ability to access help from Tarion by adding 10-day grace periods to:
 - The initial 30-day claim submission period
 - The initial 30-day request for conciliation period
 - The year-end claim submission period with written evidence the homeowner

- reported items to their builder during the first year warranty period
 - The year-end request for conciliation period
- Allowing homeowners to add additional items to forms during the 30-day and year-end claim submission periods
- Tarion is increasing the types of claims that can be addressed anytime in the first year by expanding the definition of emergency claims to include any water penetration claims

2. What is the length of the grace periods that Tarion is proposing?

Tarion is adding 10-day grace periods to:

- The initial 30-day claim submission period
- The initial 30-day request for conciliation period
- The year-end claim submission period with written evidence the homeowner reported items to their builder during the first year warranty period
- The year-end request for conciliation period

3. Will the grace periods take away from the length of builder repair periods?

No, builder repair periods will commence the day after the grace periods end.

4. Do the grace periods include weekends and holidays?

Yes, the grace periods are counted as calendar days, as are all other homeowner and builder timelines.

However, as with all existing timelines, all forms submitted on a weekend or holiday are not filed until the next business day. Similarly, timelines do not expire on a weekend or holiday and they automatically get extended until the next business day.

5. Will homeowners be permitted to add multiple items during the 30-day and year-end submission periods?

Yes, homeowners can add multiple items over the course of the initial 30-day and year-end claim submission periods. At the end of the grace periods that follows each of these claim submission periods, all the items will be consolidated in a single list for the builder. Note that any items added during the year-end grace period will be added to the form only if it was raised during the year to the builder in writing (see question 8).

6. Once in force, will the interim changes apply to all homes?

The grace periods and the ability to submit additional items to forms are applicable to all freehold homes and condominium units in their first year under the warranty. Note that homeowners will continue to be able to submit multiple forms under the two-year and seven-year warranties.

Water penetration is warranted by the builder for two years from the date of possession, so the new expanded definition of emergency to include all water penetration claims will apply to all homes under the one-year and two-year warranties.

7. What happens if I submit a claim to Tarion outside the initial 30-day and grace period?

Emergency claims can be submitted to Tarion at any time during the first-year warranty period. Tarion is increasing the types of claims that can be addressed anytime in the first year by expanding the definition of emergency claims to include any water penetration claims. However, claims received by Tarion after the initial 30-day submission and grace period will be automatically added by Tarion to the year-end form.

8. For the year-end grace period, what is considered acceptable examples of written evidence of a defect?

Examples would be that the homeowner reported the defect to the builder on any prior warranty forms, emails or other written materials during the first-year warranty period and by a method of written communication that was previously used between the parties to communicate about the home. Note that Pre-Delivery Inspection Forms are not acceptable written evidence for the year-end grace period.

9. Are dampness and condensation covered as water penetration under the warranty?

It depends on the circumstances, as dampness or condensation related to homeowner maintenance that is not actual water penetration is not covered by the statutory warranty. As a rule water penetration refers to water entering into the home from outside the home.

10. Will enrolment fees be increased due to the new measures?

No, there is no increase in enrolment fees associated with these new improvements to the Customer Service Standard.

11. When will these interim changes come into force and when will the long-term solutions come into force?

The Customer Service Standard is an important issue raised by the Auditor General of Ontario, which is why we are moving forward to implement these measures now to help homeowners. The new improvements to the Customer Service Standard will be in force on September 14, 2020.

Tarion also recently sought public input on additional changes to the Customer Service Standard for 2021 to address the Auditor General's recommendation 6 in full, such as reducing the builder repair

period to address this recommendation in full, as well as further consumer protection initiatives coming into force later this year. Read Tarion's Implementation Plan to address the Auditor General's recommendations [here](#).

12. What is MyHome and how does it help homeowners?

To help homeowners get the assistance they need, Tarion encourages all homeowners to register for [MyHome](#) right after occupancy. The MyHome online portal is an easy-to-use and convenient way for homeowners to manage their warranty claims. MyHome provides homeowners with notification of important warranty timelines, the ability to submit warranty claims to both the builder and Tarion simultaneously, and a mechanism to request Tarion's assistance when needed.