

Caution:

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

ONTARIO NEW HOME WARRANTIES PLAN ACT

Amending O. Reg. 627/20

(GENERAL)

1. Section 1 of Ontario Regulation 627/20 is amended by adding the following definitions:

“condominium project” has the same meaning as in Regulation 892 of the Revised Regulations of Ontario, 1990 (Administration of the Plan) made under the Act; (“projet condominial”)

“purchase agreement” has the same meaning as in Regulation 892 of the Revised Regulations of Ontario, 1990 (Administration of the Plan) made under the Act; (“convention d’achat”)

“purchaser” has the same meaning as in Regulation 892 of the Revised Regulations of Ontario, 1990 (Administration of the Plan) made under the Act; (“acheteur”)

2. Subsection 3 (1) of the Regulation is amended by adding the following paragraph:

- 3.1. Information related to condominium projects, including information related to the status of those projects and the termination of purchase agreements associated with those projects.

3. The Regulation is amended by adding the following sections:

Information to be disclosed to Registrar

3.1 Information to be disclosed to the Registrar for the purposes of subsection 5.5 (1) of the Act shall be disclosed to the Registrar in the form and manner and within the time specified by the Registrar.

Information to be disclosed by vendors

3.2 The following is the prescribed information that the Registrar may require vendors to disclose for the purposes of clause 5.5 (1) (c) of the Act:

1. Information related to a condominium project of a vendor that is set out in subparagraphs 6 i to iv of subsection 4 (1) of this Regulation.
2. Information related to a condominium project of a vendor if the vendor was a party to a purchase agreement that was terminated, including,
 - i. a copy of the terminated agreement,
 - ii. a copy of any written notice the vendor sent to the purchaser that provided notice to the purchaser of the termination of the agreement, and
 - iii. any other information relevant to the terminated agreement, including the circumstances under which the agreement was terminated.

4. (1) Section 4 of the Regulation is amended by adding the following paragraph:

6. Subject to subsections (2) and (3), information related to a condominium project of a vendor that includes all of the following:
 - i. The current status of the vendor's project.
 - ii. The number of condominium units that are residential dwellings in the vendor's project.
 - iii. The number of purchase agreements terminated by the vendor for a reason that the vendor asserts was permitted under the agreement and was unrelated to any fault of the purchaser.
 - iv. The reason for the termination of the purchase agreement provided by the vendor if the agreement is an agreement referred to in subparagraph iii.

(2) Section 4 of the Regulation is amended by adding the following subsections:

(2) Paragraph 6 of subsection (1) does not apply to information related to a vacant land condominium corporation or a proposed vacant land condominium corporation.

(3) The Registrar is not required to provide the information set out in paragraph 6 of subsection (1) if, before the day this subsection comes into force, the Registrar confirms that at least one condominium unit that is a residential dwelling in the project has been enrolled in the Plan.

Commencement

5. [Commencement]