

Ontario home warranty may get more oversight

'We need consumer protection,' NDP MPP says

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Tarion Warranty Corp. is supposed to protect owners of new homes against defects in work and materials for up to two years and major structural defects for up to seven years, covering up to \$300,000. (CBC)

Complaints about Ontario's home warranty program would be investigated by the provincial ombudsman under a proposed private member's bill being introduced Thursday.

"We need consumer protection for people who buy a new home or who buy a new condo," said Cheri DiNovo, the New Democrat MPP for the Toronto riding of Parkdale-High Park, who is proposing the new legislation. "I'm not seeing that."

Tarion Warranty Corp. is supposed to protect homeowners against defects in work and materials for up to two years and against major structural defects for up to seven years, covering up to \$300,000. It is governed by the Ontario New Home Warranties Plan Act, which it has been assigned to administer.

However, some homeowners, like Aline and Claude Martel, have complained that Tarion refused to cover problems with their new homes.



Aline and Claude Martel hope to see other homeowners spared the turmoil and expense they have endured. (CBC)

The Martels said their new house in Ottawa's Kanata North district turned into a nightmare of defects that the builder wouldn't fix and Tarion wouldn't recognize.

"There was 19 fractures in my foundation," Claude Martel recalled. "The soil was unstable, the house was cracking...[But] nothing was ever serious enough for consideration."

Tarion at large

DiNovo thinks the problem is that Tarion operates independently of government. It is a private corporation financed by builder registration, renewal and home enrolment fees.

Her bill aims to change that, putting Tarion under the scrutiny of Ontario's ombudsman, an arm's-length officer of the provincial government whose job is to investigate public complaints about government services.

The Martels were travelling to Toronto on Thursday to support the bill. Claude Martel said he hopes it will prevent others from going through the pain suffered by him and his wife.

"It was hell having to fight the city and having to fight the builder and having to fight supposedly the warranty protection group, which was not there for us."

Legislation concerning the Ontario New Home Warranties act was previously amended in 2005 to deal with previous service issues.

Read more: <http://www.cbc.ca/money/story/2010/06/03/ontario-tarion-home-warranty-dinovo.html#ixzz15dtDugGU>