

Statement by Canadians for Properly Built Homes

Ford Government turns a blind eye to serious problems with the lack of enforcement of the Ontario Building Code during construction

Response to the Ontario Government's Announcement regarding Ontario's Housing Supply Action Plan

Ottawa ON – May 3, 2019

When the PCs were in Opposition, CPBH representatives met numerous times with PC MPPs, including PC Leader Patrick Brown. A number of PC MPPs agreed that there are serious issues with the lack of enforcement of the Ontario Building Code (OBC) during construction.

It is critical to note that when there are OBC violations, health and safety of the occupants are often impacted, as the Code is based on health and safety. The impacts of Code violations can be devastating, including multiple traumas of compromised health, financial ruin and related psychological effects. The cost to repair once the homes are occupied is considerably higher and the fight to resolve problems typically drags on for years. Here is one example:

<https://www.cbc.ca/news/canada/ottawa/home-construction-defects-tamarack-cardinal-creek-1.4789234>

The following are examples of responses CPBH received via e-mail:

"...The PC Caucus wants to see the 'lack of enforcement of the Ontario Building Code' reversed..." - PC Leader Patrick Brown, March 8, 2016

"....Thank you for providing me with your report regarding the lack of enforcement of the Ontario Building Code during construction. It was extremely well done and I appreciate you taking the time to put it together. I agree that we need to look at ways to add more accountability into the system..." - MPP Ernie Hardeman, PC Critic for the Ministry of Municipal Affairs and Housing (MMAH), Nov. 10, 2017

"....Enforcing the Ontario Building Code is a municipal responsibility.....Clearly, we can do more with municipalities to ensure home buyers and owners aren't left without any recourse but the courts...."

- MPP Jim McDonell, responding on behalf of Interim Leader Fedeli about what the PCs would do if elected, Feb. 15, 2018

Once elected, CPBH volunteers continued to regularly communicate with key people in the Ford Government including Minister Clark, Parliamentary Assistant MPP Hogarth, Parliamentary Assistant MPP McDonell, and officials within the Ministry itself. Recent media reports regarding these ongoing serious issues were provided.

CPBH President Dr. Karen Somerville attended Minister Clark's Jan. 31, 2019 **Housing Supply Action Plan – Minister's Forum** and again raised awareness of these serious and ongoing issues. In addition to highlighting the problems, CPBH also provided suggestions regarding how these serious issues can be addressed.

CPBH received a letter dated March 19, 2019 from Minister Clark that acknowledged receipt of this input, and CPBH's suggestions for addressing these serious problems. However, despite what the PCs said before the election, Minister Clark's letter provided no indication that he was prepared to make any changes to ensure that the OBC is enforced during construction. Therefore, it is no surprise to CPBH that the **May 2019 Ontario's Housing Supply Action Plan** does not address these serious issues of the lack of enforcement of the OBC during construction.

The reasons for the lack of enforcement of the OBC during construction over the past two decades are numerous. The latest fiasco concerns municipalities claiming that they cannot hire qualified inspectors to replace retiring municipal inspectors. A City of Ottawa manager said this is a "continent-wide" issue, and it has been described as a "crisis". In 2018 this serious issue was reported in the media. MMAH officials confirmed in the Fall of 2018 that they are aware of this situation concerning the lack of qualified municipal inspectors but they refused to say what they would do about it.

To further exacerbate these serious issues from a consumer protection perspective is the Tarion Warranty Corporation, which has been described by Minister Walker - the Minister responsible for Tarion and consumer protection - as "broken". Yet, Minister Walker is now tinkering at the edges of Tarion, while he continues to study the matter. The purchasers of an estimated 60,000 newly built homes have been forced to pay for this broken warranty since the Ford Government took office. Far too often Tarion refuses to warrant Ontario Building Code violations reported to it by homeowners. In these cases, homeowners are "stuck" with Ontario Building Code violations. Some homeowners refer to these situations as "white collar crime".

Once again the Ontario Government is putting the interests of builders/developers ahead of the health and safety of Ontario's citizens. Clearly this is unacceptable. Ontarians need - and deserve - better.

CPBH proudly continues to work for properly built homes and consumer protection across Canada. It is the only organization of its kind in Canada. While we are disappointed in the May 2, 2019 announcements, CPBH will continue to serve new home owners in crisis and remains ready, willing and able to work with the Ontario Government to better protect Ontarians vis-à-vis the largest purchase most make – a home.

- 30 -

For further information, media may e-mail: info@canadiansforproperlybulthomes.com .

Canadians for Properly Built Homes (CPBH) is an independent, national, not for profit corporation dedicated to healthy, safe, durable, energy efficient residential housing for Canadians, and is the only organization of its kind in Canada. Working for consumer awareness and protection, CPBH is run by a volunteer Board of Directors and is supported by a volunteer Advisory Council of industry experts and other key stakeholders. CPBH has supporters in different parts of Canada, undertakes projects at the municipal, provincial and federal level, and offers a variety of ways for Canadians to get involved. CPBH earned "partner" status with the Canadian Consumer Information Gateway (Industry Canada). Visit www.canadiansforproperlybulthomes.com .