



OWNER'S RESPONSIBILITY

OWNERS NAME: _____

ADDRESS: _____

CITY: _____ POSTAL CODE: _____

PHONE # (Home): _____ (Work): _____ (Fax): _____

PROJECT ADDRESS: _____

As the owner and builder of this project, it is my responsibility to:

1. Obtain the building permit prior to commencing with any construction.
2. Notify the Building & Enforcement Services Division at least 24 hours in advance of each inspection stage as noted on the building permit.
3. Ensure each inspection stage has been inspected and passed prior to proceeding to the next stage.

COMMITMENT

I acknowledge that Building Inspectors perform inspections at specific stages as noted on the Building Permit. I also acknowledge that they are NOT job site superintendents who will monitor the construction or site supervision at any time.

As the owner and builder of this project, I have read and understand my responsibilities for compliance to the Building Code, by-laws, procedures and all other applicable laws.

I have read and understand the provisions of Section 8(2) of the Ontario Building Code Act, as well as the relevant provision of the Ontario New Home Warranties Plan Act, on the reverse side of this statement. I declare that I am not acting as a "vendor" or "builder", nor am I contracting with a "builder" to construct or manage the construction of the "home". I understand that this home is not eligible for enrolment or coverage under the Ontario New Home Warranties Plan Act and a warranty claim to the TARION Warranty Corporation cannot be made for this home, by me or by any subsequent purchaser of this home.

Owner's Signature

Date

Personal information contained on this form is collected pursuant to the Building Code and will be used for the purpose of responding to your application. Questions about the collection of personal information should be directed to the City's Corporate Records Co-ordinator / Deputy City Clerk, who can be reached through the Clerk's Division of the Corporate Services Department at 519-740-4680, Ext. 4583.

The Ontario Building Code Act, states:

Section 8(2): Issuance of permits

- (2) The chief building official shall issue a permit referred to in subsection (1) unless,
- b) The applicant is a builder or vendor as defined in the Ontario New Home Warranties Plan Act and is not registered under that Act;

The Ontario New Home Warranties Plan Act, R.S.O. 1990, as amended, contains the following provisions:

Section 1: Definitions

1. In this Act,

“builder” means a person who undertakes the performance of all the work and supply of all the materials necessary to construct a completed home whether for the purpose of sale by the person or under a contract with a vendor or owner;

“home” means,

- (a) A self-contained one-family dwelling, detached or attached to one or more others by common wall,
- (b) A building composed of more than one and not more than two self-contained, one-family dwellings under one ownership,
- (c) A condominium dwelling unit, including the common elements, or
- (d) Any other dwelling of a class prescribed by the regulations as a home to which this Act applies,

And includes any structure or appurtenance used in conjunction therewith, but does not include a dwelling built and sold for occupancy for temporary periods or for seasonal purposes;

“vendor” means a person who sells on his, her or its own behalf a home not previously occupied to an owner and includes a builder who constructs a home under a contract with the owner;

Section 6: Registration required

6. No person shall act as a vendor or a builder unless the person is registered by the Registrar under this Act.

Section 12: Notice of commencing construction

12. A builder shall not commence to construct a home until the builder has notified the Corporation of the fact, has provided the Corporation with such particulars as the Corporation requires and has paid the prescribed fee to the Corporation.

Section 22: Offences

22. (1) Every person who,
- (a) Knowingly furnishes false information in any application under this Act or in any statement or return required to be furnished under this Act or the regulations; or
 - (b) Contravenes section 6 or 12 or subsection 18 (4),

And every director or officer of a corporation who knowingly concurs in such furnishing or contravention is guilty of an offence and on conviction is liable to a fine of not more than \$25,000 or to imprisonment for a term of not more than one year, or to both.

Corporation

- (2) Where a corporation is convicted of an offence under subsection (1), the maximum penalty that may be imposed upon the corporation is \$100,000 and not as provided therein.

NOTE:

You are an **owner/builder** if:

You intend **to live** in the home after construction, **and** you are acting as your own general contractor (i.e. you are **personally** hiring each of the various construction trades). Your home **will not** be covered by warranty under the Ontario New Home Warranties Plan Act.

If you have entered into a contract/agreement with another person/corporation to provide you with a complete home, then that person/corporation **must** be registered with the TARION Warranty Corporation, **must** enroll the home, and **must** provide **you** with warranty coverage. That person/corporation should be obtaining the building permit and must be a ***“builder”***.

If you are in doubt as to your status as an owner, contact TARION.