



August 9, 2016

Ms. Sylwia Przedziecki, Clerk of the Standing Committee on General Government

Via e-Mail: sprzedziecki@ola.org

Subject: Submission regarding Bill 201, Election Finances Statute Law Amendment Act, 2016

Dear Ms. Przedziecki:

Thank you for the opportunity to present this submission for consideration by the Standing Committee. This four-page document provides general information about Canadians for Properly Built Homes (CPBH), examples of information about one aspect of our work in Ontario (i.e., addressing serious problems facing far too many homeowners resulting from the lack of enforcement of the Ontario Building Code), and our experiences regarding trying to meet with Ministers (to put key aspects of Bill 201 in context). It then concludes with three comments regarding Bill 201.

About CPBH

Founded in 2004, CPBH is a 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 about 40 volunteers across the country. None of our volunteers receive a penny for the CPBH work that they do. CPBH earned "partner" status with the Canadian Consumer Information Gateway (Industry Canada). CPBH relies on donations from consumers to cover operating expenses and receives no government funding.

CPBH's work in Ontario focuses on four main ministries: The Ministry of Government and Consumer Services (responsible for consumer protection and oversight of the Tarion Warranty Corporation), the Ministry of Housing, the Ministry of Municipal Affairs (e.g., the Ontario Building Code) and the Attorney General (e.g., the Licence Appeal Tribunal and the Professional Engineers Ontario).

An example of the focus of CPBH's work: Lack of Enforcement of the Ontario Building Code

For the purposes of this submission, we use the example of Ontario Building Code violations resulting from the lack of enforcement of the Ontario Building Code during construction of the home. As you probably know, the purchase of a home is the largest purchase most people make. While there are good builders in Ontario, there are also poor and marginal builders operating in Ontario, and consumers still have no reliable objective means of knowing who the good builders are. Sadly, far too often, building code violations and the lack of adequate consumer protection can have serious consequences, including seniors on fixed incomes freezing in their newly built homes and young children sick from mould due to

Ontario Building Code violations. Further impacts vary, but have included severe financial hardship, divorce, physical illness from stress and anxiety, mental illness -- and in extreme cases, poverty and death (e.g., suicide and heart attacks).

Here is a link to coverage in the Toronto Star <http://tinyurl.com/otq42fd> regarding a family of three who purchased their first-ever home in Vaughan, and because of a simple Ontario Building Code violation (missing insulation), they are going to bed hungry many nights, have been driven into poverty, and are fighting to hold on to the home that they have not been able to live in for more than four years (due to mould contamination) as they await their day in court. The father has advised us that his MPP, Steven DelDuca, has refused to meet with him.

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Here is a link with CTV coverage regarding thousands of uninspected building in Toronto <http://tinyurl.com/q3xeop9> . CPBH has heard from a number of these homeowners “stuck” with these Code violations as the “Tarion-approved builder”, the municipality, and Tarion (the warranty provider) have not responded to their requests for assistance.

Here is a link to a petition related to the lack of enforcement of the Ontario Building Code for a certain type of HVAC equipment, and a call for an Inquiry under the Building Code Act by nationally-recognized HVAC expert Dara Bowser: <http://tinyurl.com/z7zp6fc> . Sadly, Minister McMeekin did not respond to Mr. Bowser in any substantive way in over a year. For example, there is one housing development in Oakville with these systems where homeowners continue to freeze in the winter and swelter in the summer, and the current MPP, Naidoo-Harris, has refused even a half hour meeting with her constituents about this serious matter since she was elected. Her predecessor, former MPP Chudleigh called for a full investigation in the Ontario Legislature in 2012. Mr. Bowser persists, and he has now written to the new Housing Minister, Minister Ballard about this important call for an Inquiry. To put this matter in perspective, in 2012, CTV’s W-Five did a segment related to this serious problem, and reported that more than 50,000 of these systems had been installed in the GTA alone – and this equipment continues to be sold in Ontario.

It is imperative to note that most homeowners will not speak to the media, or anyone else in a position of authority, for fear of lowering their own property values, and/or fear of litigation from their builder and/or Tarion. Here is an example of a recent e-mail that we received from a devastated single woman:

“...I just received notice from the city that because I've been unable to pay my property taxes they will have the right to sell my home. Good luck to them because the code infractions make it un-saleable. If they had done their job in the first place I wouldn't have been forced to close. They issued the occupancy permit on a house that doesn't come in a walk out condition. Which caused all my problems. Maybe if I didn't have to pay 45k in engineering fees and lawyer fees I could pay my property taxes that and all my other bills which by the way are piles high on the kitchen table right now...” -- E-mail sent to CPBH by ON homeowner Aug. 6, 2016

Often homeowners stuck with Ontario Building Code violations conclude that they have no choice but to “patch and run”, not disclosing the Ontario Building Code violations to the next unsuspecting purchasers. This is an illegal activity, and results in some calling the quality of all of Ontario’s housing stock into question.

In CPBH's more than 12 years of operation, we have found it extremely difficult to get a meeting with any Minister. A few of them have agreed to meet with us, e.g., former Consumer Services Ministers MacCharles and Aggelonitis. But the vast majority of ministers simply do not respond. Premiers McGuinty and Wynne have simply referred us to the respective minister. But we note that the Ontario Homebuilders' Association (and builders generally) appear to have easy access to virtually everyone at Queen's Park. Here is a photo of former Minister McMeekin (circa 2014) giving out builder awards. Many consumers wonder why builders need awards from politicians or Tarion – isn't payment for the home reward enough?



Sadly, former Minister McMeekin did not respond to numerous CPBH requests to meet with him.

The media continues to report that builders/developers and construction unions are amongst the largest contributors to political campaigns. So, when asked why the Ontario Building Code is not being enforced, many simply respond: Follow the money!

Comments related to Bill 201

Now that a general overview from a CPBH perspective has been presented to provide context, here are three specific comments related to Bill 201:

1. Pay-for-access needs to stop.

"...Wynne's ministers had been given fundraising targets for the Liberal party and hit up people whose livelihoods they regulated for contributions to meet those targets. Sometimes they attended nearly secret dinners, costing attendees thousands of dollars a plate, where the chance to bend the ministers' ears was the prime attraction. That's just politics, they said. The scandal wasn't that they were breaking the law with this sort of thing, but that they weren't..." - June 23, 2016, David Reevely, Ottawa Citizen

We agree with David Reevely of the Ottawa Citizen - what is currently going on is a scandal. Far too many ordinary Ontarians are struggling just to be able to afford their homes at the outset, fix

Code violations in newly built homes, etc. They generally do not have the capacity to pay-for-access. CPBH certainly does not have the ability to pay-for-access.

2. We whole-heartedly agree with the Explanatory Note 1 attached to Bill 201: "Corporations and trade unions are prohibited from making contributions to parties, constituency associations, nomination contestants, candidates and leadership contestants."
3. We understand that you have received submissions from many very knowledgeable individuals and organizations about this Bill, including the Election Ontario CEO and Canada's former Chief Electoral Officer, Jean-Pierre Kingsley. We also understand that the Canadian Federal Government is considered by many to be "best practice" in this area, and we encourage the Ontario Government to follow "best practice" in relation to Bill 201. Any deviations from best practice should be justified and fully explained to the public.

If there are any questions, and/or if you would like additional information, please let me know.

Thank you to you and the Committee for consideration of our input. We look forward to seeing the results of this important work.

Yours truly,



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