

Water kept seeping into new condos north of Montreal. Now, more than 160 owners could lose their homes

Water damage makes buildings uninhabitable, lawsuit alleges

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A condo development of 27 buildings, each with six units, in Boisbriand where the buildings are affected by persistent water damage. (Radio-Canada)

A group of condo owners in a suburb north of Montreal have learned that their recently built homes will have to be demolished — or repaired at an exorbitant cost — because of flawed construction and design, according to a lawsuit.

The condos, part of a development in Boisbriand, Que., that includes 27 buildings, each with six units, were completed just 15 years ago.

But Édouard Safi, who owns one of the units, can't live in it. Water has seeped into his condo, spurring the growth of mould and spores that contaminate the air — the consequence, according to an expert analysis of the building, of faulty building and design.

What's more, all the buildings are affected — to varying degrees — by the same defects, since they were built by the same contractor, whose plans were designed and approved by the same architectural and engineering firms.

"We are all in the same boat," said Safi, whose family has had to move out of their unit. "But me, my wife and my daughter are already drowning."



Édouard Safi, who owns one of the Boisbriand units, can't live in it. But he's still shouldered with a mortgage and paying to live elsewhere. (Radio-Canada) He and the other owners, a group of 162 people, are facing the prospect of enormous repair costs. An expert estimated the cost of repairs at \$2.9 million per building.

That means the co-owners would have to invest \$54 million, a sum that exceeds the real value of their property, to make them habitable again.

Safi has been moving from one unit to another and he still has to pay his mortgage and his condo fees. He is feeling the pinch.

"Financially, I wouldn't wish this on anyone," he said, "to be in the situation I am in, either mentally or physically."



Water infiltration has caused irreversible damage to the condos, according to experts. (Radio-Canada)

The owners have filed a lawsuit seeking \$33 million in damages from the builder, Construction Nomade, the promoter of the condo project and the individual architects and engineers who signed and approved the plans. The amount they are seeking could increase.

The defendants have yet to file a defence, but they have announced that they are contesting the lawsuit. The allegations have not been tested in court.

André Flora-Velinho, an architect who inspected all the buildings, said the builders and designers failed to take steps to prevent a predictable problem: water infiltrating from behind the brick facades.

"There were no measures at the design level or at the construction level," he said. "These measures have not been deployed."



André Flora-Velinho, an architect who inspected the buildings, said the damage he saw was worse than he expected. (Radio-Canada)

The owners now face a difficult choice. They could commit to spending a massive sum to rebuild their homes, but, at nearly \$3 million per building, the cost of reconstruction would be about \$500,000 per condo owner.

"People won't be able to afford it," said Marie-Josée Leclerc, who heads up one of the condo boards. "They won't be able to pay for it if, obviously, we don't have outside help."

Yves Joli-Coeur, a lawyer with expertise in condominium issues, deplored the absence of a law requiring the supervision of construction sites.

"We have to ask ourselves: why is this situation occurring? The first cause, obviously, is that we build badly in Quebec," he said. "The government must assume its moral responsibility for a legislative deficit that has existed for decades in Quebec."

The other option for the owners: selling the land on which the condos are located. But to do so, they would need the approval of 90 per cent of the co-owners.

If they did sell the land, they would still have to pay their mortgage debts.

It's a prospect that has owners, like Ionescu Laurentiu, who bought his condo in June 2021 and still has a \$320,000 mortgage to pay, feeling hopeless.

"What can I do? Do I make myself sick?" he asked. "The only option I have is bankruptcy."

Corrections

- A previous version of this story incorrectly identified Nomad Construction as the builder. In fact, the builder is a different company called Construction Nomade.

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