

Subject: Urgent - unresolved disputes with Tarion - more talk of suicide - continuing to request a meeting with you regarding Bill 159.

From: CPBH <info@canadiansforproperlybuilt homes.com>

Date: 2020-05-05, 11:46 a.m.

To: "lm.thompson@ontario.ca" <lm.thompson@ontario.ca>

CC: "Taylor - QP, Monique" <mtaylor-qp@ndp.on.ca>, "Rakocevic-QP, Tom" <TRakocevic-QP@ndp.on.ca>, "bonnie.lysyk@auditor.on.ca" <bonnie.lysyk@auditor.on.ca>, Bartosz Amerski <bartosz.amerski@auditor.on.ca>, Mark Anderson <Mark.Anderson@auditor.on.ca>, "Horwath - QP, Andrea" <horwatha-qp@ndp.on.ca>, "Gates - QP, Wayne" <wgates-qp@ndp.on.ca>, "DiPaul, David (MGCS)" <David.DiPaul@ontario.ca>, JAndrew-QP@ndp.on.ca, roman.baber@pc.ola.org, Mschreiner@ola.org, "Singh-QP, Sara" <SSingh-QP@ndp.on.ca>, GSingh-CO@ndp.on.ca, "goldie.ghamarico@pc.ola.org" <goldie.ghamarico@pc.ola.org>, "will.bouma@pc.ola.org" <Will.bouma@pc.ola.org>, premier@ontario.ca, christine.elliott@pc.ola.org, natalia.kusendova@pc.ola.org

BCC: CPBH <info@canadiansforproperlybuilt homes.com>

Dear Minister Thompson - Minister of MGCS, Responsible for consumer protection, including Tarion

As you probably know, this is mental health week.

CPBH hears from homeowners considering suicide related to disputes with Tarion far too often. For example, recently I was on the telephone late at night with a distraught homeowner who raised suicidal thoughts given their family's battle with their Tarion-approved builder, and Tarion itself. Obviously this was and continues to be an extremely challenging situation for this family. CPBH is doing everything that we can to try to help, but clearly it is not enough.

Last August we hand-delivered a letter to Queen's Park to every PC MPP, including yourself. Here is the link:

<http://canadiansforproperlybuilt homes.com/wp-content/uploads/2019/08/Aug.-1-2019-Open-Letter-PC-MPPs-re-Justice-Cunninghams-Review.pdf>

Only one MPP responded - Premier Ford - and he said to go to you. But you have not responded to CPBH about suicide or the potential of suicide. Other than the Premier, not one other PC MPP even acknowledged receiving this hand-delivered letter.

As you hopefully are aware, and as has been reported in the Toronto Star, after a 27 year battle with Tarion, tragically Dr. Earl Shuman committed suicide. MPP Taylor raised this tragedy in the ON Legislature on Mar. 12, 2020 as part of the debate related to Bill 159. (Please watch the attached video clip of MPP Taylor in which she read an excerpt of a response from Dr. Shuman's widow, Krista Shuman, to Bill 159.)

These very serious issues related to Tarion are dragging on far too long. I am reaching out to you

today to ask you to appoint an Administrator to take over Tarion effective immediately, as MPP Rakocevic provided for in his Bill 169. If you will not do this, please advise what concrete steps you have taken to help these desperate, potentially suicidal homeowners fighting Tarion. Bill 159 does not provide any assistance to these homeowners already in dispute with Tarion.

Please also know that we continue to request a meeting with you - with adequate time for substantive discussion - regarding your Bill 159. Once this situation with COVID-19 is addressed, we continue to hope that you will meet with us in advance of Bill 159 proceeding any further in the legislative process.

We look forward to your response.

Best regards,

Karen Somerville

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Dr. Karen Somerville, PhD in Management, C.Dir
President
Canadians for Properly Built Homes (CPBH)

— Attachments: —

Mar. 12 2020 MPP Taylor - Shuman comment.mp4

3.2 MB

Subject: another follow up - homeowners considering suicide - alleged illegal activity - Re: long-standing outstanding questions/requests for information + request to meet re Bill 159 - sent by CPBH to Minister Thompson

From: CPBH <info@canadiansforproperlybulthomes.com>

Date: 2020-06-12, 8:00 a.m.

To: "lm.thompson@ontario.ca" <lm.thompson@ontario.ca>

CC: "DiPaul, David (MGCS)" <David.DiPaul@ontario.ca>, "Varsava, Mathew (MGCS)" <mathew.varsava@ontario.ca>, "Rakocevic-QP, Tom" <TRakocevic-QP@ndp.on.ca>, "Singh-QP, Sara" <SSingh-QP@ndp.on.ca>, pdube@ombudsman.on.ca, "bonnie.lysyk@auditor.on.ca" <bonnie.lysyk@auditor.on.ca>, "info@ombudsman.on.ca" <info@ombudsman.on.ca>, Mark Anderson <Mark.Anderson@auditor.on.ca>, Mschreiner@ola.org, sblais.mpp.co@liberal.ola.org, "Taylor - QP, Monique" <mtaylor-qp@ndp.on.ca>, GSingh-CO@ndp.on.ca, premier@ontario.ca, fgelinas-qp@ndp.on.ca, "Randy Hillier, MPP" <info@randyhillier.com>, Bartosz Amerski <bartosz.amerski@auditor.on.ca>

BCC: CPBH <info@canadiansforproperlybulthomes.com>

Dear Minister Thompson:

As we have not had a response from Mr. DiPaul, your Chief of Staff, to my Apr. 30, 2020 email (attached), I am following up again.

While we have had a few letters from you in 2020, the majority of our questions/requests for information remain outstanding. We also don't understand why you and your staff (i.e., Mr. DiPaul and Mr. Varsava) are not responding to our emails. We understand that you and your staff have continued to work during COVID.

We also don't understand why we have not yet been able to get a meeting with you regarding Bill 159. We noted with interest on Twitter that you recently met with the Ontario Home Builders Association.

We look forward to hearing from you regarding our many outstanding emails/hand-delivered letters, and our requests to meet with you related to Bill 159. The outstanding correspondence relates to a number of subjects, e.g., - homeowners considering suicide due to newly built home construction defect issues, alleged illegal activity, Tarion, HCRA, used/damaged furnaces sold in some newly built homes, and the legislation that was passed in 2017 concerning private home inspections, but has not yet been implemented.

Regarding potential suicides, as you know, in 2019, Premier Ford advised us to contact you as the Minister of MGCS. But we did not receive a response from you to our related letter that was hand-delivered letter to Queen's Park in Aug. 2019. As reported by the Toronto Star, tragically Dr. Earl Shuman did commit suicide after a 27 year fight with Tarion.

Please know, Minister Thompson, that CPBH continues to hear from many suffering homeowners. Some of these homeowners have found that their situation has worsened during

the Pandemic, e.g., trapped in homes with mould and excessive radon.

Finally, on Mar. 3, 2020, I sent an email to you with the following:

"...We have also heard directly from a number of homeowners about alleged illegal activity. We are aware that some homeowners have contacted the police, and asked them to investigate, but the police declined.

We are requesting information from you regarding what, if anything, you have done about these allegations of illegal activity. For example,

- have you contacted the Ontario Provincial Police or any other police force, and asked them to investigate, and if you have not, can you please advise why you have not?

- have you directed Tarion to properly address alleged fraud in the best interests of consumers, and if you have not, can you please advise why you have not?

- have you taken any other related actions, and if you have not, can you please advise why you have not? If you have, what were those actions?.."

These are obviously very serious matters Minister Thompson.

We look forward to hearing from you.

Best regards,
Karen Somerville

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Dr. Karen Somerville, PhD in Management, C.Dir
President
Canadians for Properly Built Homes (CPBH)

On 2020-04-30 8:08 a.m., CPBH wrote:

Dear Mr. DiPaul, Chief of Staff, Minister Thompson:

I hope this note finds you well.

Premier Ford advised the media recently that no public servants have been laid off - that they are all working during this pandemic.

In January, Mr. Varsava requested that I resend all of the outstanding emails that CPBH has in to Minister Thompson - to resend them for the third time. I did that. But many of them still remain unanswered - more than three months later. Since that time, we have sent further

emails to Minister Thompson, which remain unanswered.

We have previously been advised that we should expect responses within 60 days of sending an email.

As the Minister's Chief of Staff, I am asking you to please ensure that CPBH is provided with substantive, full responses to the questions/issues that we have raised.

We look forward to your response.

Best regards,

Karen Somerville

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Dr. Karen Somerville, PhD in Management, C.Dir
President
Canadians for Properly Built Homes (CPBH)

----- Forwarded Message -----

Subject: Please confirm receipt of this email - Fwd: numerous unanswered requests for information related to consultations by your Ministry

Date: Thu, 23 Jan 2020 08:51:52 -0500

From: CPBH <info@canadiansforproperlybuilthomes.com>

Organization: Canadians for Properly Built Homes

To: mathew.varsava@ontario.ca

Thanks for introducing yourself to me yesterday, Mathew.

I was quite surprised to hear you say that you understand that all of CPBH's requests for info have been addressed. I was also surprised that you are unaware of our requests to meet with Minister Thompson. We have only had one 30 minute telephone introductory conversation with the Minister since she became Minister of MGCS.

I will go through my communications to Minister Thompson, David DiPaul, and Dominic as time permits, but attached is one that I referenced in my testimony yesterday.

If you could send me a quick note to confirm that you received this email, I would appreciate it.

Kind regards,
Karen

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Dr. Karen Somerville, PhD in Management, C.Dir
President
Canadians for Properly Built Homes (CPBH)

**Ministry of Government and
Consumer Services**

**Ministère des Services
gouvernementaux et des
Services aux consommateurs**



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996-2020-822

June 15, 2020

Karen Somerville, PhD
President
Canadians for Properly Built Homes
info@canadiansforproperlybulthomes.com

Dear Dr. Somerville:

Thank you for your May 5, 2020, email sharing your concerns about the Tarion Warranty Corporation. I appreciate the time you took to write during Mental Health Awareness Week and am very sorry to hear about the difficulties the homeowners you spoke about are facing.

My ministry recognizes that buying a new home is one of the most important investments that Ontarians make in their lives. As our government continues to take steps to transform Ontario's new home warranty and protection program, please be assured that mental health and its associated issues will be taken into consideration.

I read with great concern your reference to an individual whose stress about home ownership was causing them to have suicidal thoughts. As you may know, distress centres across Ontario offer support and a listening ear for those in crisis, 24 hours a day, seven days a week. People experiencing distress can find a centre nearest to them by visiting this link:
<http://www.dcontario.org>.

Telehealth Ontario also provides free, confidential support for mental health issues. Helpline staff are trained to connect callers with the right resources, and can be reached at:

Mental Health Helpline
Toll-free: 1-866-531-2600
Live web chat: www.connexontario.ca/Home/Chat
Email: www.connexontario.ca/contact-us

.../2

I assure you I have personally heard the frustration of homeowners. I have listened carefully to their stories and their concerns. As I have said before, our government recognizes that Tarion needs to do more to fulfil its responsibilities to protect new home buyers. As you know, my stance, and the stance of our government, is that, through Bill 159, the Rebuilding Consumer Confidence Act, 2020, we are addressing the current broken warranty and protection program in this province head-on.

We are rebuilding and overhauling the program, focusing on consumer protections, transparency and access to information and good governance. Through this bill, we will make the current program responsive to Ontario homebuyers.

As has been stated before, Bill 159 includes proposed changes to the Ontario New Home Warranties Plan Act that, if passed, will enhance the dispute resolution process. These changes will:

- Establish a mandate for Tarion to promote the resolution of claims as soon as reasonably possible
- Provide Tarion with the ability to use a range of processes to resolve disputes between homeowners and builders or vendors
- Remove builders and vendors as parties at the Licence Appeal Tribunal in disputes between homeowners and Tarion over warranties and protections claims, unless regulations specify otherwise
- Enable the government to prescribe adjudicative bodies other than the Licence Appeal Tribunal to resolve disputes between homeowners and Tarion over warranties and protections claims.

In addition, as I have previously indicated, if the legislature passes, we plan to publicly consult on subsequent proposed regulatory changes that will be required, including further measures to enhance dispute resolution.

I would also like to take this opportunity to respond to the concerns raised in your June 4, 2020 email.

It is not common for a bill to be considered twice at committee, but it is by no means unprecedented. Pursuant to Standing Order 74(a), second reading of a bill may be dispensed by motion in the Legislature in order for a bill to be referred to committee for consideration or amendment prior to debate in the legislature. When this occurs, this does not abrogate the requirement for a further committee study between second and third reading.

The additional time for consultation and committee work on a bill prior to second reading can be of great value informing second reading debate and improving legislation and this has generally been done with the consent of all parties.

Regarding the online system for submitting requests to appear - the system is likely not accepting submissions related to Bill 159 as the Legislature has not yet ordered the committee study. There is presently a motion before the House which orders the further committee study of this bill, however it is not expected to be voted on until Tuesday, June 16, 2020. Shortly after this motion is adopted by the House the system for submitting deputations should be made available.

Thank you again, Dr. Somerville, for sharing your concerns. My ministry looks forward to your continued participation in the transformation of Ontario's new home warranty and protection program.

As well, I would like to offer my very best wishes to you for health and safety during these uncertain times.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Thompson". The signature is written in a cursive, flowing style.

The Honourable Lisa Thompson
Minister of Government and Consumer Services