

## **Nov. 24, 2019 - Statement Re Bill 145, Trust in Real Estate Services Act**

Bill 145, *Trust in Real Estate Services Act*, which updates the rules governing Ontario's Real Estate Professionals, generally appears to be a good initiative. The Ford Government should pursue it when it has dealt with a clear and present crisis affecting thousands of Ontario families right now and each year.

Bill 145 does nothing to help the thousands of homeowners still faced with serious problems resulting from Tarion Warranty Corporation. CPBH remains very concerned that the Ford Government continues to drag its feet on addressing Ontario's new home warranty organization, while so many Ontario families suffer.

Since the Ford Government came into power, approximately 100,000 families have been forced – by law – to purchase Tarion's seriously flawed warranty. It is critical to note that many of the families who are fighting Tarion are stuck with Ontario Building Code (OBC) violations. OBC violations typically involve health and safety concerns for the occupants of the homes. Many serious consequences have resulted for homeowners due to Tarion's improper handling of homeowners' claims. These range from freezing in houses with faulty HVAC systems, physical illness such as asthma from mould, financial hardship, mental illness from stress, anxiety and trauma, marital breakdown, bankruptcy and suicide.

Tarion's own performance has clearly demonstrated to thousands of Ontario's new home buyers each and every year, and to Justice Douglas Cunningham, that it is beyond repair. Indeed, its performance shows that it went rogue a long time ago. The findings in the Auditor General of Ontario's recent audit of Tarion articulate the unacceptable and shameful practices of an arm's length organization that serves itself. It serves industry. It does not serve its clients. And its clients are hardworking families, the taxpayers of Ontario, the people that Ontario's legislature exists to serve.

This can and must be repaired. It is urgent.

It's time for the Ford Government to take decisive action by immediately:

- removing Tarion's board of directors and CEO;
- appointing an administrator to handle Tarion business, until it is wound down; and
- replacing Tarion with a multi-warranty provider model as Justice Cunningham recommended.

Many are working hard and tirelessly to see this change take place. They are dedicated, determined and relentless because the cause is just. CPBH looks forward to seeing a regime put into place, with all due haste, that works for all involved: consumers, industry and government. Especially consumers. Because that's who has suffered the most in this mess since 1976.

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Founded in 2004, 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.