

Canadians for Properly Built Homes hosted a community meeting on Aug. 13, 2019

## Cardinal Creek homeowners want answers from the City of Ottawa and Tarion about what they consider to be serious construction defects

Page | 1

**Ottawa, Ontario August 22, 2019** -- In the spring of 2019, some Cardinal Creek homeowners asked CPBH to organize a meeting for their community. After considering the interest about the potential of such a meeting from Cardinal Creek homeowners, CPBH agreed to do so. CPBH learned that while some Cardinal Creek homeowners are very happy with their homes, many are not. The objective of the Aug. 13, 2019 meeting was to help homeowners with construction defects get their homes properly fixed – and quickly. Cardinal Creek is a newly built community in Orleans, a suburb of Ottawa.



Cardinal Creek homeowner Marcel Bellefeuille (right) explains why his basement is torn up to MPP Rakocevic (centre) and MPP Harden (left).

CPBH hand-delivered flyers about the meeting to the more than 300 Cardinal Creek homes twice – in June and July. Representatives from the City of Ottawa and Tarion Warranty Corporation were

invited to participate in the meeting. Both accepted. Tarion sent approximately 12 representatives while the City of Ottawa sent approximately seven. Lisa Thompson, Minister of Government and Consumer Services of the Government of Ontario, Parliamentary Assistant MPP Bailey, MPP Marie France Lalonde, Mayor Jim Watson and City Councillor Stephen Blais were also invited to attend. Minister Thompson, Parliamentary Assistant Bailey and Mayor Watson did not attend. NDP Critics MPP Rakocevic, the NDP Critic for the Ministry of Government and Consumer Services, which oversees Tarion, and MPP Harden, the NDP Critic for Seniors, were also invited and they attended.

More than 100 people attended at the Royal Canadian Legion in Orleans on August 13, 2019. Prior to the meeting, 85 Cardinal Creek homeowners registered.



Cardinal Creek homeowners lining up to ask questions of the City of Ottawa and Tarion

The City of Ottawa and Tarion Warranty Corporation representatives made presentations. Councillor Blais, MPP Lalonde and MPP Rakocevic also briefly addressed the crowd. Then, homeowners lined up to ask general questions. This was followed by the opportunity for Cardinal Creek homeowners to meet one-on-one with staff members of the City of Ottawa and Tarion.

During the general Q and A, homeowners expressed serious concerns about how both the City of Ottawa and Tarion have handled their responsibilities concerning their newly built homes. Following the meeting, the City of Ottawa provided written responses to some key questions. These are provided in Appendix 1.

A Vice President from the Tarion Warranty Corporation recently said he would provide written responses to some key questions. We will share those responses once obtained.

---

*“What is the responsibility and liability of the City? We paid you \$35,000 and here we are after your eight inspections.”*

*Homeowner*

---

---

*“Tarion is helping  
the builder, not us.”*  
*Homeowner*

---

As CPBH has been saying for more than 15 years, consumers need fundamental change in the regime that governs new home construction. The situation facing so many of these homeowners proves it.

Meantime, these unfortunate people need their newly built homes properly fixed NOW.

-----

### **Canadians for Properly Built Homes**

Our Vision: Healthy, safe, durable, energy efficient residential housing for Canadians.  
[www.canadiansforproperlybulthomes.com](http://www.canadiansforproperlybulthomes.com)

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.

[www.canadiansforproperlybulthomes.com](http://www.canadiansforproperlybulthomes.com) Twitter: @cpbh01  
Facebook: <https://www.facebook.com/pages/Canadians-for-Properly-Built-Homes/1613240682226191>  
Instagram: cpbh01



## **Follow up from the Aug. 13, 2019 meeting that CPBH held for Cardinal Creek homeowners**

### **Responses received on Aug. 22, 2019 from John Buck, Deputy Chief Building Official of the City of Ottawa**

#### **1. How did these serious Ontario Building Code violations ever get by City inspectors?**

In the absence of further specifics regarding alleged “serious Ontario Building Code violations”, the following is provided. City of Ottawa’s Building Code Services (BCS) branch enforces compliance to the Building Code Act (BCA) and the Ontario Building Code (OBC) through its permit approvals and building inspections programs. Because both programs are based on representative samplings, a permit having been issued is not a guarantee that construction will meet all OBC requirements. Similarly, an inspection having been “passed” is not a guarantee of 100% OBC compliance. It is the role of all involved in the construction of a building – designers, builders and subcontractors, manufacturers, and City staff – to ensure construction is carried out in accordance with the BCA and OBC. Should any homeowners wish to have their files reviewed or homes revisited by City staff, please have them contact John Buck at 613-580-2424 ext 41487 or [john.buck2@ottawa.ca](mailto:john.buck2@ottawa.ca).

#### **2. Some maintain that City knowingly closed files on some Cardinal Creek homes (even though homeowners had reported issues to the City) without proper repairs of the Code violations. Will the City reopen these files and force the builder to do the work, e.g., via an Order?**

Should any homeowners wish to have their files reviewed or homes revisited by City staff, please have them contact John Buck at 613-580-2424 ext 41487 or [john.buck2@ottawa.ca](mailto:john.buck2@ottawa.ca). Their files will be assessed on an individual basis, and any follow-up inspections and contact with the builder will be arranged, as appropriate.

#### **3. What changes will the City make to its inspection processes for homes still under construction/to be constructed in Cardinal Creek?**

A senior building official has carriage of files where homeowners have come to BCS with concerns post move-in. Of the 15 homes whose owners have come to BCS, most have been successfully resolved. Inspections on homes currently under construction are being carried-out as prescribed by the OBC and other applicable by-laws, policies and procedures.

#### 4. What did the City of Ottawa publicly agree to do in the meeting on Aug. 13?

Should any homeowners wish to have their files reviewed or homes revisited by City staff, please have them contact John Buck at 613-580-2424 ext 41487 or [john.buck2@ottawa.ca](mailto:john.buck2@ottawa.ca). Their files will be assessed on an individual basis, and any follow-up inspections and contact with the builder will be arranged, as appropriate.

Any concerns with grading or retaining wall works may be directed to Richard Thompson, Construction Technician, at 613-580-2424 ext 22042 or [richard.thompson@ottawa.ca](mailto:richard.thompson@ottawa.ca).

For assistance with Access to Building Permit Records requests, residents may contact Debbi Kennedy, Coordinator of Enterprise Services, at 613-580-2424 ext 41233 or [deborah.kennedy@ottawa.ca](mailto:deborah.kennedy@ottawa.ca). Please also refer to the following link for Access to Building Permit Records info:

<https://ottawa.ca/en/business/business-assistance-and-growth/permits-licences-and-applications-laws-and-garbage/building-permits-and-renovating#access-building-permit-records>

#### 5. Why does the City not have a high priority on mould in newly built homes like it does for grow-ops?

The City's Marijuana Grow Operation Remediation By-law (By-law No. 2012-402) is applicable to existing buildings and have been referred to the City by a police force (per the Municipal Act) as a marijuana grow operation where buildings have been damaged as a result of illegal modifications (structural, mechanical, electrical etc.), chemical and moisture damage as a result of the illegal use. It is not applicable to the construction of new housing. In the construction of a new home, mould is a Tarion warrantable item as it may not necessarily be caused by underlying OBC violations. As such, Tarion is the authority responsible for mould remediations in cases where mould is discovered in new homes post-occupancy.