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Ontario NDP Caucus • Groupe parlementaire du NPD de l'Ontario

Hon. Lisa M. Thompson
Minister of Government and Consumer Services
5th Floor
777 Bay St.,
Toronto, ON M7A 2J3

Hon. Steve Clark
Minister of Municipal Affairs and Housing
17th Floor
777 Bay St.,
Toronto, ON M5G 2E5

April 21, 2020

Dear Ministers Thompson and Clark,

A recent article in the Globe and Mail (“Ontario development industry deemed essential under coronavirus restrictions,” March 25, 2020) claims that building officials who regulate new home construction “are stepping back” during the covid-19 crisis, even as construction continues.

In a letter to Karen Somerville of Canadians for Properly Built Homes, (April 20, 2020) Minister Thompson stated that, “the enforcement of the building code is a local responsibility, primarily in the hands of local municipalities.”

However, the province sets the inspection standards, including during an emergency, and is responsible for ensuring these standards are being met.

The City of Toronto has cancelled all on-site inspections, except for emergencies. The Tarion Warranty Corporation has said it will no longer insist that pre-delivery Inspection – viewed as a critical consumer protection step – include both builder and buyer prior to closing the new-home transaction.

It is not clear whether this means that home construction is continuing without the necessary Building Code inspections, or that construction is proceeding on individual projects until the point where they require an inspection (after which the project would pause until inspections resume). Could you please clarify?

In addition, Tarion’s removal of the requirement for both builder and buyer to be present at the pre-delivery inspection will add risks onto consumers, who will be unable to identify deficiencies when

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they are in the best position to have such deficiencies fixed by the builder. How does Tarion and the ministry intend to manage these risks on behalf of buyers, who must already deal with Tarion's inflexible claims process when reporting deficiencies?

We support the province's actions to mandate social distancing during the coronavirus pandemic. However, if the province chooses to allow home construction to continue during this crisis, then it must make sure that consumers and the public are protected from the additional risks.

Both we and our staff are available to discuss this further.

Sincerely,

A handwritten signature in black ink that reads "Tom Rakocevic".

Tom Rakocevic, MPP
Humber River-Black Creek
Government Services and Consumer Protection Critic
For the Official Opposition

A handwritten signature in black ink that reads "Jeff Burch".

Jeff Burch, MPP
Niagara Centre
Municipal Affairs Critic
For the Official Opposition

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