

## The tragic case of Daniel Browne-Emery: From newly built homeowner to homeless to dying

An abbreviated version of Daniel Browne-Emery's story that he told to CPBH

In 2007 Daniel Browne-Emery bought a newly built home in Port Dover, ON from a Tarion-approved builder.

He quickly found serious construction defects, including Ontario Building Code violations in this home.

He contacted Tarion and he understood that Tarion would help him. He waited over three years for Tarion to help. Tarion did not help him.

His insurance was cancelled due to the construction defects and mould.

Without insurance, Daniel could not get his mortgage renewed. Without a mortgage, his home went into foreclosure. In 2011 Daniel became homeless.

In 2017 Daniel was diagnosed with throat cancer. His oncologist asked: *"Have you ever been exposed to asbestos or mould?"* Daniel's heart sank. He had lived in that newly built mouldy house for years as he waited for Tarion to help him.

Daniel underwent chemotherapy, radiation and a radical neck dissection. He was hopeful.

In Nov. 2019, Daniel received very bad news: The cancer has returned. Doctors have told him that he will not survive this time.

In a Dec. 14, 2019 Facebook post, Daniel wrote: *"...I just wanted to build a home to retire in. I paid for Tarion warranty. I paid the builder in FULL!! Neither of them did what they were legally and morally bound to do. Did they pay a price for their transgressions? NO.. One could argue, I will pay, again, the ultimate price, my life."*

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**Update from CPBH Jan. 1, 2021** - CPBH and others continued to advocate for Daniel in his fight to receive some sort of settlement from Tarion. In early 2020 Daniel asked CPBH's President, Karen Somerville, to attend a meeting with him and his wife, Char and Tarion representatives. Karen was honoured to attend to provide support. Ultimately, in 2020, Daniel was finally able to negotiate a settlement with Tarion. Tarion demanded a non-disclosure agreement with Daniel in order to reach the settlement.

Throughout 2020, Daniel continued to fight hard to beat cancer. But he lost that battle Jan. 1, 2021. CPBH volunteers are heart broken. CPBH extends our deepest sympathy to Char, his son, and the rest of Daniel's family and his friends. RIP Daniel.