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A few ideas for the Minister

Consumers need more protection

Force builders to live up to promises

At a recent press conference in Toronto, Ontario Consumer Minister Jim Watson revealed that he is a regular reader of this column.

In case he is looking for some items to place on his agenda for the new year, here is my personal list of suggestions for 2005:



Mandatory disclosure requirements should be introduced for agreements to purchase newly built homes in Ontario.

At the very least, offers should be required to contain the floor plans, and clear, simple language outlining a 10-day cooling-off period, maximum dollar amounts for extras not included in the purchase price, the final possible extension date for closing, and the price list for upgrades.

Builders should be required by law to deliver the home or condominium unit they promised.

The Ontario New Home Warranty Program, administered by Tarion Warranty Corp., only applies to new construction.

Those who buy a condominium conversion, or a house built only on the foundations of the old one, or with only a tiny fraction of the components of the original home, have no warranty protection in this province.

Ontario homebuyers deserve better. I would extend warranty protection to buyers of condo conversion projects or a development that includes existing foundations or framework. Then, the purchasers would enjoy the \$2,000 Land Transfer Tax rebate, which now applies only to new construction covered by Tarion.

And on the same topic, the Land Transfer Tax rebate is fully effective only on homes priced below \$227,500. It's time to raise the exemption in keeping with the escalating cost of new homes.

For the same reason, in the federal sphere, the GST new housing rebate currently ends when a house is priced over \$450,000. I would increase that limit to \$600,000 or \$700,000.

Despite some recent cosmetic improvements to Ontario's home warranty program, it still has a long way to travel on the road to more complete consumer protection.

Tarion should be controlled by a broad-based board with a statutory mandate to run it in the public interest.

In the United Kingdom, it's a criminal offence for a builder or realtor to make a false or misleading statement about certain matters relating to new homes.

The statement or misstatement must relate to a relevant feature of the house, such as the view, physical or structural characteristics, the neighbourhood, services, fixtures, valuation, history or age, title restrictions, or zoning and planning issues.

I would introduce similar legislation in Ontario.

High-rise condominium owners need protection against damages caused by floods, smoke and fire from nearby units.

I would make unit-owner liability insurance compulsory in all condominiums.

Judging from a flood of email I received recently about noise control in condominiums, it seems the Ontario Building Code requirements for noise abatement in multi-unit construction are woefully inadequate. I would amend the code to double the sound-protection requirements.

On the same topic, Toronto's waterfront residents need noise protection from the horrendous racket caused by party boats, the Molson Indy and the Toronto International Air Show. It shouldn't be necessary to have a class action to restore some "quiet enjoyment" to residents who live within earshot of Lake Ontario.

I look forward to the introduction of long-delayed regulations to the Consumer Protection Act, 2002, which would implement a cooling-off period for sales of timeshares and interval ownerships.

I'm also eagerly awaiting introduction of legislation to regulate the activities of independent paralegals in this province.

About a quarter of all new homes and condominiums in the Greater Toronto Area are sold by staff who have no requirement to be trained, educated, insured or regulated.

This means that about 13,000 consumers are buying \$4 billion in homes each year from unregulated sales staff. The public deserves better protection in this area.

That's my list. I hope the minister is listening.

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