

CAHPI NEW CONSTRUCTION INSPECTION PROTOCOL ONTARIO EDITION

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This document is a derivative of the original Canada Mortgage and Housing Corporation (CMHC) document titled

**CMHC Pre-Delivery Inspection Protocol for New Homes
Final Draft Research Report - August 31, 2005.**

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One change of note is that the CMHC protocol assumes that new construction inspections will be performed at the time of the pre-delivery inspection. CAHPI expands that to consider new construction inspections performed after the homebuyer has taken possession. This explains the change in title to New Construction Inspection Protocol and similar changes through the document.

This Ontario-specific derivative version of the protocol omits the Generic Performance Inspection Guidelines, Generic Performance Inspection Checklist and Location Legend included in the original CMHC document, since these documents are replaced in Ontario by the Tarion Construction Performance Guidelines.

Other province/regional specific versions may be created by CAHPI as applicable.

1. EXECUTIVE SUMMARY

CMHC undertook this Pre-Delivery Inspection Protocol for New Homes project to address an issue that was brought to our attention through contacts with home builders and private home inspectors. There was an indication that many new home purchasers were engaging private home inspectors to perform a pre-delivery/new construction inspection to check the quality of the construction. Some home builders took exception to their client obtaining this service and began refusing permission to visit the construction site, feeling that the home inspectors were not properly qualified to do a pre-delivery/new construction inspection. Although there were some home inspectors who were qualified to do pre-delivery/new construction inspections, it was believed that the private home inspection industry as a whole was not ready to offer this service.

The purpose of the CMHC protocol was to make available a generic model pre-delivery/new construction inspection protocol, developed with the guidance of all affected parties. The protocol is intended to serve as a voluntary quality assurance tool to provide a consistent pre-delivery/new construction inspection to verify that the systems and components of the new home are installed properly and are functioning as intended.

The pre-delivery/new construction inspection protocol is neither a code compliance tool nor is it intended to replace the services provided by municipal building officials. There are well-established guidelines for code compliance inspections at the various stages of construction. Municipal authorities are already responsible for ensuring code compliance. While some home inspectors offer parallel services to municipal authorities for homebuyers, such work is excluded from this protocol.

The protocol is primarily intended as a guide for professional home inspectors working on behalf of homebuyers and builders of new homes in Canada. It can be used on a voluntary basis as requested, typically by the homebuyer. Builders may use the protocol as an internal quality control tool, or they may engage third parties e.g. private home inspectors to perform the inspections and prepare reports on their behalf.

Homebuyers may also use the protocol as a reference tool for their pre-delivery/new construction inspection and to determine acceptable performance thresholds. Homebuyers can also use this document to better understand the roles and responsibilities of the professional home/property inspection company, builder and the homebuyer.

The protocol includes several parts. The first part is a general protocol for home inspectors with respect to agreements with clients, scope of work, limitations, insurance, other services, reports and other deliverables to clients.

The second part is a performance inspection protocol designed to evaluate the workmanship and materials in the home against a prescribed and measurable

set of guidelines. The performance guidelines were developed following a review of existing guidelines in Canada and the United States with the intent of being fair, reasonable and relevant to residential construction in Canada.

Some organizations such as warranty providers have, or are in the process of developing their own performance guidelines. With the agreement of the builder and homebuyer or where such a warranty program is uniformly accepted, users of this protocol may substitute or incorporate the generic performance guidelines included herein with the performance guidelines developed by the warranty providers. (In Ontario, the generic performance guidelines have been replaced with the Tarion Construction Performance Guidelines.)

Construction of residential buildings is an evolving process and techniques may vary from one region to another. To account for this, the protocol may be modified from time to time to keep in step with the changing construction standards and practices.

Roles and responsibilities for home inspectors, homebuyers and builders are set out in the next part of this protocol. This helps all parties understand what is expected of them in the pre-delivery/new construction inspection process.

The protocol also includes a list of documents that home inspectors should provide to homebuyers. These documents will help new homebuyers understand their care and maintenance obligations for their homes. Similarly, there is a list of documents that builders should give to homebuyers.

The next part of the protocol includes a dispute resolution guideline for homebuyers to follow. This will help homebuyers who find their new home is not meeting their expectations. It is intended to facilitate a resolution to disputes by focusing on good communication. In some areas, widely accepted warranty programs have a mechanism in place. In those cases, that mechanism will be used. Ontario is an example of that situation.

The last part of the protocol includes a set of qualifications and skills a home inspector should possess to offer this service. In addition to being adequately skilled and qualified to perform home inspections, specific training is required for home inspectors who intend to deliver pre-delivery/new construction inspections. In recognition of this, a one-day training seminar for qualified home inspectors and a half-day orientation session for builders were developed in 2005 to accompany this protocol. This is to prepare home inspectors to properly perform pre-delivery/new construction inspections, and to familiarize builders with the inspections so they can prepare for the inspections and work with inspectors and homebuyers to mutual advantage.

The training for the home inspection industry was to have been delivered by the Canadian Association of Home and Property Inspectors. Those training programs did not move forward. A new training program has been created in 2011 to be delivered online rather than in a seminar format.

The desired outcome is that consumers will be better served by home inspectors providing consistent services in a format that is recognized and accepted by the home building industry.

2. PURPOSE AND SCOPE

The objective of this project was to research and develop a pre-delivery/new construction inspection protocol for new homes, which home inspectors can use as a tool to consistently perform a proper and thorough pre-delivery inspection/new construction of a new home.

The purpose of the pre-delivery/new construction inspection protocol for new homes is to serve as a voluntary quality assurance tool to provide a consistent pre-delivery/new construction inspection for verifying that the systems and components are installed properly and functioning as intended. It is neither intended to serve as a code compliance tool nor to replace the services provided by municipal building officials. The pre-delivery/new construction inspection protocol has been developed through consultation with the affected key stakeholders such as private home inspectors, builders, warranty providers and consumers.

An Advisory Committee was established to oversee and assist with this project. The Committee included representatives from the Canadian Association of Home and Property Inspectors (CAHPI), home builders, Canada Mortgage and Housing Corporation (CMHC), the Alberta Home Warranty Program (AHWP), a lawyer specializing in real estate and a consumer representative. Consultations were held separately with the Canadian Warranty Council (CWC), the Canadian Home Builders' Association (CHBA) and the CAHPI.

This protocol was developed from the experience of the committee, code references, references to other North American construction performance guidelines, and industry and trade practice guidelines.

Use of This Document

This document is primarily intended as a voluntary guide for professional home inspectors and home inspection companies working on behalf of buyers and builders of new homes in Canada.

Builders may use this protocol as an internal quality control tool, or they may engage third parties (e.g., home inspectors) to perform the inspections and prepare reports for them.

Homebuyers may also use this document as a reference tool for their pre-delivery/new construction performance inspection report. Homebuyers can also use this document to better understand the roles and responsibilities of the professional home/property inspection company, builder and the homebuyer.

3. INTRODUCTION

There are two common types of inspections that buyers of new homes are interested in.

1. *Code Compliance Inspection*

This document does not address code compliance inspections. Code compliance inspection is the domain of the authority having jurisdiction (municipal, regional or provincial, etc.). This body is responsible for ensuring that homes comply with the relevant codes and standards (building code, plumbing code, electrical code, gas code, etc.). The applicable codes are the law in Canada, and must be followed by builders and homebuyers alike. The focus of these codes and standards is structural integrity, health, safety, comfort, and energy efficiency. There is typically more than one inspection in this category, since for example, an electrical specialist performs the electrical code inspection and a building code specialist performs the building code inspection. These inspections are usually performed at various stages of the construction process.

This inspection may also address bylaw issues. These local laws help to ensure that homebuyers do not adversely affect their neighbours' ability to use and enjoy their property.

The protocols for the code compliance inspections are well documented and are controlled by others.

2. *Performance Inspection*

This type of inspection addresses quality of workmanship and materials, measured against pre-determined tolerances.

The performance inspection determines whether the systems and components in the home are installed properly and are performing their intended functions.

This New Construction Inspection Protocol for New Homes relates to performance inspection, not to code compliance inspection.

Home inspectors may offer code compliance inspections and other types of inspections to homebuyers if qualified to do so, and may choose to participate in dispute resolution activities within the scope of their professional association guidelines and rules. It is strongly recommended that broadly accepted protocols be followed for any other services in conjunction with this pre-delivery/new construction inspection protocol.

The next sections outline a General Protocol and a Performance Inspection Protocol.

4. GENERAL PROTOCOL

Scope

This protocol applies to newly constructed, low-rise homes that have not been previously occupied. The Construction Performance Guidelines outlined in this protocol may be used for homes that have been occupied (30-day or 11-month inspections, for example) although the inspector should recognize that defects may have arisen in the home after occupancy through wear and tear, neglect or damage. The protocol does not apply to temporary or seasonal homes.

Inspection Agreement

Homebuyer clients should sign a contract that describes the scope and limitations of the services **before** the process begins. Clients must understand what can and cannot be done during these inspections.

The agreement should specify the fee(s) for the inspection, any applicable taxes, payment method and terms of payment. The agreement may specify such things as whether the home inspector will complete any of the builder's forms or warranty program's forms for the client.

The agreement may indicate whether the home inspector is available to provide other services such as additional inspections, follow-up inspections, or dispute resolution functions.

The agreement can detail whether partial payment is owed if work cannot be started (access to property denied, for example) or work cannot be completed (house is still under construction, for example).

Note: Inspectors must receive advice from legal professionals when developing an inspection agreement. This document does not provide legal counsel.

Current Issues, Not Future Conditions

The protocol is for use during an inspection performed when the home is turned over to the homebuyer as ready for occupancy (Pre-Delivery Inspection), or after the date of possession. This inspection is designed to identify existing conditions in the home. It does not predict conditions that may occur after the inspection.

Visual Inspection Only

The inspection is visual and is not invasive or destructive. The minimal use of tools is anticipated. No testing equipment is required for this type of inspection. Dismantling of systems or equipment is not included. If utilities such as water, electricity and gas are not connected, the inspection will not include the operation of affected items.

Specific Limitations Reported

The inspector will document any limitations that prevented normal inspection of any part of the home.

Fees

Home inspectors may set their fees and make payment arrangements with clients at their discretion. (Recommended fee schedule set out in another part of the training program.)

Occupancy Date

Municipalities or local authorities determine when a property is ready for occupancy. Home inspectors do not determine this.

Inspection Process and Report:

Home inspectors will have their own preferences for reporting, and will want flexibility to allow them to communicate with clients and create their differentiation points as they wish. The format is the choice of the home inspector as long as all elements of the work are done, and all pertinent information is provided to their clients.

The report can be a checklist, narrative or combination. It may be completed and delivered on site or after the inspection. The report format may be paper or electronic, as long as the format is acceptable to the client.

Reports may include such things as a cover letter, a copy of the inspection agreement, an invoice or receipt, photographs, reference materials, a copy of some parts of this protocol and a copy of some or all of the Performance Guidelines.

Reports should indicate which items may be covered by warranty, and which will not be covered, if known.

Life Safety Issues

Life safety issues identified should be documented, whether or not they are within the scope of the inspection. These are often Ontario Building Code issues.

Code Enforcement

Prior to performing inspections in any jurisdiction, the inspector may wish to consult with local authorities responsible for code enforcement. The pre-delivery/new construction inspection may be explained and the code authorities may advise what action should be taken if a code issue is identified, although this is not a code inspection.

While clients may forward inspection reports to municipal authorities, inspectors are not permitted to forward the reports to anyone without the client's permission.

Report Components:

These should include

- Address of the home (May be lot number and/or street address)
- Homebuyer's name and contact information
- Builder's name and contact information

- Inspection company name
- Inspector's name
- Inspection type(s)
- Inspection date and time
- A report number for the inspector's records
- A list of attendees at the inspection
- Any limitations specific to the inspection
- Documentation of measurement methodology where appropriate

Report Distribution

Additional copies of reports may be provided for use by the builder, real estate agent, legal advisor, lender, insurer, etc. Again, distribution to third parties without the client's permission is not permitted.

Subsequent Inspections

Homebuyers may request follow-up inspections once missing or defective items are completed. There are typically additional fees for such inspections.

Other Services

Home inspectors may offer other inspection (follow-up, code compliance, contract compliance) and non-inspection services to consumers (mediation, for example). This document neither restricts nor addresses the scope of such activities. These services may include follow-up and code compliance inspections when the inspector is qualified to do these inspections, for example.

Home Warranty Program

In Ontario, the Tarion New Home Warranty Program is used universally for new homes. This protocol recognizes the Program and applies the Tarion Construction Performance Guidelines.

Insurance for Inspection Companies

Home inspectors are encouraged to carry appropriate insurance, as available. This protocol does not include insurance consultancy, and users are advised to contact their insurance advisor. Insurances may include Errors and Omissions, Commercial General Liability, Property, Vehicle, and Short and Long Term Disability Insurance. Other insurances may be required or recommended.

5. PERFORMANCE INSPECTION PROTOCOL

Purpose and Scope

Performance inspections address the quality of workmanship and materials, measured against tolerances set out in the Tarion Construction Performance Guidelines (in Ontario). This type of inspection helps determine whether the systems and components are installed properly and are performing their intended functions. Performance inspections address issues that are beyond the scope of codes, bylaws and other regulations. They are not code compliance inspections. No comparison of the home to the contract documents or plans is included.

This protocol and the Tarion Construction Performance Guidelines (in Ontario) set minimum parameters for acceptable workmanship in new homes.

No Warranty Rulings or Cause-Of-Condition Analysis

Neither this protocol nor the inspection report is authoritative with respect to whether or not defects identified are covered by warranty. There is a well-defined process for this established by Tarion. This protocol also does not address the issue of causes of conditions.

Implications and Recommended Actions

The implications of defects need not be described in inspection reports to meet this protocol, although inspectors may choose to do so as an added service for the clients. A specific course of action should not be outlined for each defect identified, since the recommended action is to advise the builder of all the issues. Inspectors should not specify repairs or instruct the builder on how to address or correct a problem when working within this protocol. Again, inspectors may choose to offer this as a separate service.

No Conflict with Codes and Other Laws

This protocol is not intended to overlap with codes, bylaws or standards. If there is overlap with inconsistencies, the codes, bylaws or standards will take precedence. Similarly, the protocol is not intended to conflict with applicable manufacturers' installation guidelines. If they do, the manufacturers' requirements will prevail.

Before The Inspection (for Pre-delivery inspections only)

The inspection is typically coordinated with the builder, often as part of their pre-delivery inspection. Homebuyers should advise their builder that a home inspector will accompany them and the inspection may take more time than the builder typically allows. Many builders allow for one hour per 90 square meters (1,000 square feet). Home inspectors may spend more time.

Some builders may not allow anyone to accompany the homebuyer during their pre-delivery inspection. Homebuyers should be advised to check this before they engage the services of the home inspector.

Inspection Methodology

The bulk of this inspection is an evaluation of the home measured against the Tarion Construction Performance Guidelines, which address workmanship and materials issues as well as code issues. The parameters of the performance inspection protocol are described in the following paragraphs.

General

- The inspection is visual, non-invasive and non-destructive.
- The inspection is to include all of the relevant items in the Tarion Construction Performance Guidelines.
- Variance from specified plane measurements can be measured in a number of ways, although the Tarion Guidelines include methods for measuring variation from a specified plane. The measurement methodology should be documented where variances are reported. Measurements are not required on all dimensionally defined issues, but are used to confirm and quantify variances as appropriate. A preliminary visual evaluation will typically determine the need for measurement.
- Representative sampling methods are used for numerous items such as bricks, siding boards, roofing shingles, electrical receptacles, etc.
- Flashlights or other lights may be needed to provide adequate light.
- A written report, documenting the findings and any specific limitations, shall be provided to the client.

Roofing

- Roofs should be accessed except where it is dangerous, where damage may occur to the building, or where accessing the roof will not provide any more information about the roof (the roof is covered by snow, for example).
- Gutters shall be spot checked visually for standing water (typically while accessing the roof).

Exterior

- With the exception of the roofing material and roof-mounted components, the exterior inspection shall be from ground level.

Garage

- The overhead door in garages shall be operated using the automatic opener controls if available, or manually if no opener is provided. Inspectors are not required to operate remote control devices for garage doors.
- The auto-reversing features of overhead doors shall be tested using methods recommended by manufacturers. This may include breaking the light path for the electric eye, and ensuring the door reverses when meeting an obstacle.
- The operation of self-closers on entrance doors between the garage and living spaces shall be tested.

Heating, Ventilation and Air Conditioning Equipment

- Heating, air conditioning, ventilation and electrical equipment shall be operated using normal occupant controls, as weather conditions permit.
- Furnace covers designed to be removed by occupants for regular maintenance shall be removed to determine that the furnace is new and is not damaged or dirty, and filters are in place, for example.
- Check for air movement at supply registers and return grilles on ducted heating and cooling systems. It is not required to measure airflow.
- It is not required to verify adequacy of heating, cooling or ventilation system performance under maximum design conditions.
- Check for proper operation of gas fireplaces using normal user controls.
- It is not required to activate systems where the electrical power, water or fuel source is turned off. This limitation should be documented in the report.
- It is not required to light fires in wood-burning fireplaces.
- It is not required to test fireplace or wood stove draw.

Plumbing

- All plumbing fixtures shall be operated to simulate normal use, although actual use is not required. Some conditions may only be apparent when a person is standing in the shower stall or bathtub when the shower is operating, for example. Other conditions may only be identifiable if multiple fixtures are used simultaneously. These types of issues will not be identified.
- All whirlpool tubs shall be filled with water above the jets and the pump and the motor shall be operated using the normal user controls.
- It is not required to test water quality or quantity, and it is not required to test or inspect the waste disposal system beyond the visible in-house piping, whether public or private.
- It is not required to measure the temperature of water from the water heater or comment on the adequacy of the water heater capacity or recovery rate.
- Swimming pools and spas (hot tubs) are excluded from this protocol.
- It is not required to operate fire sprinkler systems or lawn and garden sprinkler systems.
- Exterior faucets (hose bibs) should be operationally tested unless testing creates or increases the risk of frost damage.
- It is not required to operate sump pumps when there is no water in the sump, or when damage to the pump may occur.

Electrical

- A representative sample of electrical outlets (one per room) shall be tested using a handheld circuit tester.
- Arc and ground fault circuit interrupters shall be tested using the TEST button on the device.
- It is not required to insert light bulbs into light fixtures to test the fixture. Missing bulbs should be documented.

- It is not required to test low voltage systems, central vacuum systems, security systems, telephone systems, cable television systems, smoke or carbon monoxide detectors, intercom or speaker systems or automated technology systems.

Interior

- Attics, roof spaces and crawl spaces shall be inspected from access hatches.
- Doors and windows should be operationally tested to simulate normal use.

It is not required to operate household appliances such as the stove, refrigerator, dishwasher, clothes washer and dryer

Not Exhaustive

The performance inspection is not intended to be an all-inclusive list of building deficiencies. Any performance issues identified that are not addressed in the Construction Performance Guidelines shall be evaluated against established industry practice, as applicable, and reported appropriately.

Beyond the Checklist

The inspections can be performed using checklists for the most part, but there must be some part of the inspection that does not rely on a checklist, since no checklist can include all possible issues. A portion of the inspection should be devoted to looking at the house as a whole, focusing on finding any anomalies.

Heating, Ventilating and Air Conditioning (HVAC) Equipment

The inspection includes an operational test of all installed equipment. Inspection of generic installation issues is reasonable, but manufacturer-specific issues are beyond the scope. A specialist is usually required to evaluate installation details of complex mechanical systems.

Specialists may be engaged to evaluate installation details of equipment during the performance inspection. Alternatively, homebuyers may ask service specialists to evaluate the installation of equipment during the first service visit, which should take place within 12 months of occupancy. This will help to ensure that warranty issues are addressed within the warranty period. This is also an opportunity for a homebuyer to set up a regular maintenance schedule for the mechanical systems in the home.

Measuring Variation from Specified Plane

The Tarion Construction Performance Guidelines document includes methods for measuring variations in Appendix A4. It is recommended that the measurement method be documented in the report where applicable.

Water Tests

Water quality and quantity tests are not an integral part of this protocol, and need not be conducted as part of this inspection.

Code Issues

Although this is not a code compliance inspection, code issues may be identified while looking for performance conditions. These may be documented and identified as code issues. These should be clearly identified as possible code issues. It should be made clear to the client that these are provided as a courtesy, without obligation to perform a code inspection or address any other code-related issues.

6. ROLES AND RESPONSIBILITIES OF HOME INSPECTORS, BUILDERS AND HOMEBUYERS

The roles of the parties who may be involved are described below.

1. Home inspector (some of these apply only to pre-delivery inspections)

- a. To communicate with the homebuyer, explaining the purpose, scope, time requirements for inspection and report delivery and cost of the inspection services offered.
- b. To explain to the client who should attend the inspection – e.g. client, builder’s representative, etc.
- c. To advise the client to confirm with the builder that a representative is permitted to accompany them during the pre-delivery inspection. The inspector may provide a form to the homebuyer for presentation to the builder.
- d. To advise homebuyers of applicable home warranty programs and that some warranty programs have their own construction performance guidelines that differ from this protocol.
- e. To ensure that a written agreement outlining the scope and terms of the work has been accepted by the client prior to the inspection.
- f. To coordinate with the client the inspection time and date.
- g. To ensure the home inspector has the necessary skills and qualifications to perform the service competently.
- h. To carry appropriate insurances, including those required by CAHPI or its provincial/regional bodies.
- i. To attend the inspection with all necessary tools and equipment.
- j. To provide the client with a written report and additional documentation as described elsewhere in this document.
- k. While home inspectors are not required to fill out forms on behalf of the client, they are not prohibited from doing so. This should be made clear in the agreement, if applicable.
- l. To keep on file, records of the inspection for a period of not less than 7 years.
- m. To respond to follow-up questions from the client directly related to the inspection and report. The home inspector may determine whether or not a fee is applicable for this service.
- n. To act in an honest, fair and impartial manner with all parties.
- o. To cooperate with the client, the builder and all other parties within the scope of the work and within professional boundaries.
- p. To respect the confidentiality of all personal information in accord with the Personal Information Protection and Electronic Documents Act (PIPEDA).

2. Builder (for predelivery inspections only)

- a. To provide a reasonable advance notice to the client when the property will be available for inspection.
- b. To provide access to the property as required.
- c. To have a representative on site as required who is knowledgeable about the property.
- d. To allow the home inspector to complete their work.
- e. To answer relevant questions about the property, within their knowledge.
- f. To ensure that all the utilities are connected prior to the inspection.

3. Homebuyer (some apply only for pre-delivery inspections)

- a. To verify with the builder that a representative is allowed to accompany them during the pre-delivery inspection.
- b. To select and contact the home inspector to perform the work.
- c. To choose the service(s) they want, if choices are available.
- d. To agree contractually on the services to be provided, with the terms and limitations of the work, if they wish to proceed.
- e. To communicate with the builder and home inspector to set the date and time for the inspection.
- f. To advise the builder
 - i. That the homebuyer will bring or send a designate who will attend the pre-delivery inspection and
 - ii. Of the approximate duration of the inspection.
- g. To provide the builder with a signed form if required, authorizing the home inspector to act with or for the homebuyer. Note: The inspector may provide this form to the homebuyer for presentation to the builder.
- h. To advise the builder and home inspector whether the homebuyer will attend the inspection. If he/she will not attend, the homebuyer and home inspector should arrange a report delivery method.
- i. To cooperate in all reasonable ways with the home inspector and the builder, including while on site.
- j. To pay for the service as set out in the service agreement (contract).
- k. To review the report and attached documentation, and to act accordingly.

7. DOCUMENTS HOMEBUYERS SHOULD RECEIVE UPON TAKING POSSESSION

From the home inspector

- a. All inspection reports and appropriate documents, which may include a cover letter, a copy of the inspection agreement, an invoice or receipt, photographs, the inspector's code of ethics, a dispute resolution guideline and reference materials.
- b. Access to a copy of the CAHPI New Construction Inspection Protocol - Ontario Edition, as appropriate (Reference to an Internet web site is considered acceptable.).
- c. Access to Tarion Construction Performance Guidelines document
- d. CMHC's Homeowner's Manual. (Recommended)
- e. CMHC's Home Care, A Guide to Repair and Maintenance. (Recommended)

From the Builder (for pre-delivery inspections)

- f. Warranties and owner's manuals for systems, components and appliances.
- g. Warranties from the builder and/or warranty program as appropriate.
- h. A Homeowner Information Package from the builder describing the warranty on the home, if applicable.
- i. Documents as directed by legal advisor. These may include pre-delivery inspection forms, certificate of completion and possession, title or mortgage documents, survey, etc.
- j. Verification from the fuel distributor that all of the fuel burning appliances in the home have been inspected, where applicable.
- k. Water quality and quantity test reports where a private well is used.
- l. Blower door test, if applicable.

8. DISPUTE RESOLUTION GUIDELINES

If there is a dispute between the homebuyer and builder with respect to the inspection report, the steps set out by a warranty program are typically followed. Where there are none, the steps outlined below may be followed in sequence:

1. The homebuyer should provide the builder with a copy of the report and a description of the disputed area(s).
2. The homebuyer should keep on file any written response from the builder.
3. The homebuyer should document the builder's response, if verbal.
4. The homebuyer should provide reasonable access to the property for the builder to evaluate and address the issue(s).
5. The homebuyer may contact the warranty program, if any, using the appropriate forms to request warranty service.
6. The homebuyer may contact the home inspector, describing the issue and the builder's response.
7. The home inspector may or may not agree to provide an opinion on the validity of the issue and the builder's response. There may be a fee associated with this.
8. If the issue is code related, the homebuyer should contact the municipal authority (building department) for direction.
9. The homebuyer may arrange a meeting with the builder at the site.
10. The home inspector may attend the meeting. (See #7 above.)
11. If a resolution cannot be reached, the homebuyer may follow the dispute resolution procedures of the warranty program, if any. Note: The procedures are typically well documented and should be carefully followed. These may include one or more of mediation, conciliation or arbitration.
12. If there is no home warranty program or if the issue is not resolved with the warranty program, the homebuyer may consider Alternate Dispute Resolution (ADR) including mediation or arbitration, if the builder is willing to participate. A local, regional, provincial, territorial or national body specializing in this area may facilitate this process.

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13. If alternate dispute resolution is not pursued or is not available, or if the result of the home warranty process is not acceptable, the homebuyer may seek legal advice and consider legal action. Note: In some areas, a warranty program may require arbitration or another process be completed prior to legal action.

9. RECOMMENDED HOME INSPECTOR QUALIFICATIONS AND SKILLS

Home inspectors who perform pre-delivery/new construction inspections shall be knowledgeable in new home construction and systems, and skilled in inspection techniques and communication skills, both verbal and report writing.

A. Pre-requisite qualifications

The inspector qualifications should include:

1. Qualified members in a provincial or regional home inspection organization that have reached the minimum standards of a practicing member. Note: The term **qualified member** means those members who have demonstrated competency in the field. (This proves that inspectors have knowledge of home construction and inspection practices.) Individual organizations may determine which of their members is qualified to perform these inspections.
2. Knowledge of the skills identified in the Occupational Standards for Home/Property Inspectors. This document is available at <http://www.cahpi.ca/> for example.

B. Specific Training requirements

The inspector will also have successfully completed the CAHPI New Construction Inspection Training Program and have their first two reports reviewed and approved by a qualified home inspector who has already completed this training and review process.

Continuing education requirements include four hours annually and the review of one report, the latter at the discretion of the CAHPI provincial/regional body - the OAHI in Ontario.

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