



# Owner Builder Disclosure Notice

*Purpose: As required by section 21(2)(a) of the Homeowner Protection Act (the "Act"), the purpose of this Disclosure Notice is for the owner builder and subsequent owners to disclose to any and all potential owners of the new home (the "home") described herein, during the 10-year purchase period, that the home was built under an Owner Builder Authorization issued by the BC Housing to the individual described herein as the owner builder.*

## OWNER BUILDER INFORMATION

**Name (last,first):** McKoy, Thomas

**Owner Builder Authorization No.:** 92093

## PROPERTY INFORMATION

**Civic Address:** 7462 Dogwood Street

**City/Town:** Pemberton

**Province:** British Columbia

**Postal Code:** V0N 2L0

**PID:** 026-109-468

**Legal Description:** LOT 10 DISTRICT LOT 202 LILLOOET DISTRICT PLAN KAP76833

## CONSTRUCTION INFORMATION

**Building Permit:** 1591

**Building Permit Issue Date:** 2015/Aug/07

**First Occupancy Date:** 2016/May/30

**Owner Builder Authorization Date:** 2015/Jul/03

## MATERIAL FACTS

The home was built under an Owner Builder Authorization. The home was not built under the licence of a Licenced Residential Builder.

The home is not covered by a policy of home warranty insurance. Statutory protection, as per section 23 of the Act, is available to a purchaser of the home.

## DEFINITIONS

"owner builder": means an individual with a valid Owner Builder Authorization issued under section 20 of the Homeowner Protection Act

"purchase period": means a) the period during which home warranty insurance for a new home is in effect; or b) if home warranty insurance has not been obtained, the period during which home warranty insurance would have been in effect had it been obtained.

"first occupancy date": means the date an occupancy permit with respect to the new home was first issued, or if no occupancy permit has been issued with respect to the new home, the date the new home was first occupied.



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**SUBTRADES** - the following list of tradespersons who contributed to the building of the home was supplied by the owner builder

**Cladding:** Owner Builder

**Electrical:** Fenner Electric, Fenner Rothwell, (604) 905-9370

**Engineering:** Twin Peak Engineering, Ben Towsey, (604) 967-1701, info@twinpeaksengineering.com

**Excavation:** Sabre Excavation Corp., Joanne Molinaro, (604) 905-9685, joanne@sabregroup.ca

**Flooring:** Owner Builder

**Foundation:** Owner Builder

**Framing:** Owner Builder

**Heating/AC:** Pemberton Heating, Jamie Lothrop, (604) 935-6323, pembertonheating@yahoo.com

**House Design:** Owner Builder

**Insulation:** All Star Insulation, Nathan Rivait, (604) 848-9433 8, nathan@all-starwalls.com

**Interior Wall Finish:** Owner Builder

**Plumbing:** Sea to Sky Heating & Plumbing, Alan Pickles, (604) 862-1443 , laurel.pickles@hotmail.com

**Roofing:** Peak to Valley Roofing, Phil Stiel, (604) 905-0526

**Sewer/Septic:** Sabre Excavation Corp., Joanne Molinaro, (604) 905-9685, joanne@sabregroup.ca

**Soil remediation:** Sabre Excavation Corp., Joanne Molinaro, (604) 905-9685, joanne@sabregroup.ca

**Windows/Doors:** Owner Builder

# Owner Builder Disclosure Notice

## STATUTORY PROTECTION

- (1) A residential builder or an owner builder and a vendor of a new home are both deemed to have agreed with the owner of the new home, to the extent of labour, materials and design supplied, used or arranged by the residential builder, owner builder or vendor, that the new home, except to the extent prescribed by regulation,
  - (a) is free from defects in materials and labour and will remain so for a period of at least 2 years after
    - (i) the date an occupancy permit with respect to the new home was first issued, or
    - (ii) if no occupancy permit has been issued with respect to the new home, the date the new home was first occupied,
  - (b) is free from defects in the building envelope, including defects resulting in water penetration, and will remain so for a period of at least 5 years after
    - (i) the date an occupancy permit with respect to the new home was first issued, or
    - (ii) if no occupancy permit has been issued with respect to the new home, the date the new home was first occupied, and
  - (c) is free from structural defects, and will remain so for a period of at least 10 years after
    - (i) the date an occupancy permit with respect to the new home was first issued, or
    - (ii) if no occupancy permit has been issued with respect to the new home, the date the new home was first occupied.
- (2) Any term of an agreement that purports to waive, exclude, limit or qualify the protection under subsection (1) is of no effect.
- (3) The protection under subsection (1) is for the benefit of whoever is the owner of the new home from time to time until the end of the period within which an action may be brought under subsection (5), and that owner is deemed
  - (a) to have given good consideration for the benefit of the protection, and
  - (b) to be the only person entitled to recover damages for a breach of the protection.
- (4) Despite subsection (3), if the ownership of the new home changes during the course of an action for breach of the protection under subsection (1), the new owner is entitled to be substituted as plaintiff and to enforce all rights that the former owner could have enforced.
- (5) An action in respect of the protection under subsection (1) must be commenced within 10 years after the date of first occupancy of the new home or, in respect of common property, common facilities and other assets of a strata corporation, the date the strata plan is deposited in a land title office in accordance with the Strata Property Act.
- (6) Nothing in this section
  - (a) excludes, qualifies or limits any other term, express or implied,
  - (b) relieves any person of liability to which they would otherwise be subject, or
  - (c) subjects a municipality, regional district or treaty first nation to any greater liability than if this section were not in force.
- (7) This section does not apply to a new home covered by home warranty insurance.

**Please Note:** The BC Housing strongly encourages individuals who are in receipt of this Disclosure Notice to consult legal counsel in an effort to fully understand the level of protection afforded by the Statutory Protection outlined above. This Statutory Protection is not backed by a home warranty insurance company. An individual who wishes to seek recourse through the Statutory Protection must contact the original owner builder directly or do so through the civil legal process. For information regarding resolving construction disputes please visit the BC Housing website.