



CHAPTER 4

COMMENCEMENT OF WARRANTY COVERAGE IN AB

Overview:

- Commencing Warranty Coverage
- Important Information on Exclusions
- Warranty Commencement Date Certificate – Individual Unit
- Warranty Commencement Date Certificate – Common Property
- Definitions of Warranty Commencement Date



COMMENCING WARRANTY COVERAGE(S) in ALBERTA



Home Warranty
Toll Free: 800.555.9431
Fax: 877.762.7922

Travelers Insurance Company of Canada
Suite #810, 540 – 5th Avenue S.W.
Calgary, AB T2P 0M2
www.travelerscanada.ca

SCHEDULE "D" - WARRANTY COMMENCEMENT DATE CERTIFICATE		
Warranty Type:	Building Type:	Product Type:
Builder Name:		
Builder Address:		
Builder No.:	Tel:	Fax:
UNIT/PROJECT INFORMATION:		
Address:		
Legal Description:	(Street) Strata Plan:	(City, Province) Lot: (Postal Code) Section:
Block:	District Lot:	Plan:
Range:	Tax:	
Strata Lot Range:	Strata Lot:	
Warranty Certificate Number(s):		
Owner's Name(s):		
(First Name)		(Last Name)
OR		
(Strata Corporation No. & Project Name)		
Mailing Address:		
(Unit No. & Street)	(City, Province)	(Postal Code)
Telephone:		
(Home)	(Work)	E-mail:
WARRANTY COMMENCEMENT DATE:		
(The Warranty Commencement Date as described in the New Home Buyers Protection Act will prevail if conflicting dates arise.)		
Materials, labour or design provided by the Owner are excluded from home warranty coverage. Please list all owner supplied items below:		
*	*	*
*	*	*
*	*	*
To further clarify the scope of work, please provide a copy of the construction contract with the Owner.		
MAINTENANCE MANUAL PROVIDED TO OWNER: YES <input type="checkbox"/> (Provide proof of delivery with this document.)		
Signature Builder		Signature Owner
(Print Name)	(Date)	(Print Name) (Date)
Purchaser's Solicitor:		
(Name)	(Address)	
This document must be completed and signed by both parties in order to establish the commencement date for home warranty coverage. Upon receipt of this duly executed document, Travelers Insurance Company of Canada will issue the Warranty Certificate to the Owner. This document is to be completed at or prior to occupancy.		
Your Homeowner's Policy is generated from this document. Please make sure your information is clear and accurate. PLEASE SIGN AND DATE THIS DOCUMENT		
This document may not be copied in whole or in part without the express permission of Travelers Insurance Company of Canada.		
White – Travelers Insurance Company of Canada	Yellow – Builder	Pink – Owner
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1 BUILDER REGISTERS HOME

- See Section 3 of this binder for home registration procedures and sample documents.
- Once accepted for Home Warranty Coverage, Travelers Canada will send the Builder the applicable Warranty Commencement Date Certificate(s) for:
 1. Each residential dwelling unit; and
 2. Common property (if applicable).

2 BUILDER & OWNER COMPLETE "Warranty Commencement Date Certificate"

Purpose:

To enable Travelers Insurance Company of Canada to establish the Owner's warranty commencement date & expiry dates.

The Builder:

- Will receive a triplicate form.
- Should check the civic address & legal description to ensure they are correct.
- Must complete the 3 copies with the new home Owner on or before the Warranty Commencement Date **and return to Travelers Canada within 30 days of occupancy.**
- Guidelines for proper document completion follow later in this Section.

3 BUILDER DISTRIBUTES COPIES

- Once completed, the Builder must distribute the 3 copies as follows:
 1. WHITE Copy - Send to Travelers Canada ASAP
 2. YELLOW Copy - Keep Builder copy
 3. PINK Copy - Give to Owner

COMMENCING WARRANTY COVERAGE(S) in ALBERTA (Cont'd)



Home Warranty
Toll Free 800 555 5431
Toll Free Fax: 877 762 7022

Travelers Insurance Company of Canada
Suite 4010, 540 - 7th Avenue S.W.
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www.travelerscanada.ca

SCHEDULE "F-1" 1-2-5-10 HOME WARRANTY INSURANCE POLICY
(Detached Single Dwelling Unit)

Address: Civic Address for the home located in Alberta

Legal Description: Legal Description for the Property

Home Warranty Insurance Policy Number: Insurance Policy Number

Builder Name: Company Name

This is your home warranty insurance policy which should be read and kept in a safe place. To ensure your rights are preserved, ensure that you understand what your rights and obligations are. Please note that all notices of a claim under this home warranty insurance policy must be delivered to Travelers Insurance Company of Canada in writing prior to the expiry of the applicable home warranty insurance coverage. The important dates to note are:

1. Warranty Commencement Date	As defined by the legislation
2. Materials & Labour Warranty	
a) 1 Year Defects in Materials and Labour	Expiry Date: <u>One Year from Above</u>
b) 2 Years Defects in Materials and Labour supplied for the delivery and distribution systems - includes the electrical, gas, plumbing, heating, ventilation and air conditioning systems to which the Safety Codes Act (Alberta) applies.	Expiry Date: <u>Two Years from Above</u>
3. 5 Years Building Envelope Warranty	Expiry Date: <u>Five Years from Above</u>
4. 10 Years Structural Defects Warranty	Expiry Date: <u>Ten Years from Above</u>

For your convenience, enclosed with this home warranty insurance policy please find a sticker outlining these important dates for you to affix in a conspicuous location in your new home.

THIS POLICY CONTAINS A CLAUSE WHICH MAY LIMIT THE AMOUNT PAYABLE.

In consideration of the payment to Travelers Insurance Company of Canada of the premium for this home warranty insurance policy, Travelers Insurance Company of Canada agrees to provide home warranty insurance coverage subject to the coverage limits and in accordance with the terms, conditions and endorsements contained in this home warranty insurance policy.

Travelers Insurance Company of Canada has duly executed this home warranty insurance policy.

TRAVELERS INSURANCE COMPANY OF CANADA



Executive Vice-President and Chief Executive Officer

- ## 4 OWNER RECEIVES
- ### “Warranty Certificate”
- **Purpose:** The Home Warranty Certificate provides the Owner with the specific details of the Home Warranty Coverage on their new home, including its expiry dates, limitations, and their rights and obligations.
 - **Detached Dwelling Unit:** Upon receipt of the completed *Warranty Commencement Date Certificate*, Travelers Insurance Company of Canada will issue a *Warranty Certificate* directly to the Owner (Schedule “F-1”).
 - **Multi-Unit Building:** Upon receipt of the completed *Warranty Commencement Date Certificate(s)* specific to the common property, Travelers Insurance Company of Canada will also issue the *Strata Corporation a separate Warranty Certificate(s)* on the Common Property (Schedule “F-2”).
 - **Guidelines for proper document completion of the Warranty Commencement Date Certificate(s) follow in this Section.**



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www.travelerscanada.ca

SCHEDULE "F-2" 1-2-5-10 HOME WARRANTY INSURANCE POLICY
(For Single Dwelling Units in Condominiums or Multi-Family Dwellings and Common Property)

Address: Civic Address for the Unit located in Alberta

Legal Description: Strata Lot and Legal Description for the Property

Home Warranty Insurance Policy Number: Insurance Policy Number

Builder Name: Company Name

This is your home warranty insurance policy which should be read and kept in a safe place. To ensure your rights are preserved, ensure that you understand what your rights and obligations are. Please note that all notices of a claim under this home warranty insurance policy must be delivered to Travelers Insurance Company of Canada in writing prior to the expiry of the applicable home warranty insurance coverage. The important dates to note are:

Warranty Commencement Date:	Dwelling Unit As defined by the legislation	Common Property Based on the commencement of the first unit in the strata
1. Materials & Labor Warranty		
a) 1 Year Defects in Materials and Labour	Expiry Date: <u>One Year from Above</u>	Expiry Date: <u>One Year from the date above</u>
b) 2 Years Defects in Materials and Labour supplied for the delivery and distribution systems - includes the electrical, gas, plumbing, heating, ventilation and air conditioning systems to which the Safety Codes Act (Alberta) applies.	Expiry Date: <u>Two Years from Above</u>	
3. 5 Years Building Envelope Warranty	Expiry Date:	<u>Five Years from the date above</u>
4. 10 Years Structural Defects Warranty	Expiry Date:	<u>Ten Years from the date above</u>

For your convenience, enclosed with this home warranty insurance policy please find a sticker outlining these important dates for you to affix in a conspicuous location in your new home.

THIS POLICY CONTAINS A CLAUSE WHICH MAY LIMIT THE AMOUNT PAYABLE.

In consideration of the payment to Travelers Insurance Company of Canada of the premium for this home warranty insurance policy, Travelers Insurance Company of Canada agrees to provide home warranty insurance coverage subject to the coverage limits and in accordance with the terms, conditions and endorsements contained in this home warranty insurance policy.

Travelers Insurance Company of Canada has duly executed this home warranty insurance policy.

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IMPORTANT INFORMATION ON EXCLUSIONS in ALBERTA

The New Home Buyer Protection Act Regulations, Sections 6 & 7, Permitted Coverage Exclusions & Permitted Loss or Damage Exclusions, permits a warranty provider to exclude specific items from home warranty insurance, including, but not limited to:

- a) *designs, materials or labour supplied by anyone other than the residential builder or the employees, agents or subcontractors of a residential builder, but not including any designs, material or labour retained by the residential builder in a reconstruction;*
- b) *alterations to the home by anyone other than the residential builder or its employees, agents or subcontractors;*
- c) *deficiencies that have been agreed to between a residential builder and the insured prior to or at the time possession.*

Travelers Insurance Company of Canada's Home Warranty Certificate specifies the above exclusions. However, in order to ensure that Travelers Insurance Company of Canada Builders are not held responsible for excluded items, it is imperative that the Builder identify all Owner supplied items. This can be accomplished as follows:

- (1) **Travelers Insurance Company of Canada's Warranty Commencement Date Certificate (WCDC) – Schedule "D"** states that "materials, labour or design supplied by the Owner are excluded from home warranty coverage". To assist our Builders, the WCDC contains a table that should be completed by the Builder to identify all Owner supplied items.
- (2) To further clarify the scope of work, the Builder should have a **detailed construction contract** with the Owner. It should clearly identify the Builder, the Owner, the address of the home, the scope of work provided by the Builder, terms of payment, and any materials, labour or design supplied by the Owner. Travelers Insurance Company of Canada requires the Builder to submit a copy of this contract with the Warranty Commencement Date Certificate. This will assist Travelers Insurance Company of Canada should a claims adjustment arise with the current or future Owners where the validity of a defect needs to be determined.

Travelers Canada:

Toll Free: 1-800-555-9431

Toll Free Fax: 1-877-762-7922

BC Head Office:

Suite 2500 – 650 West Georgia St.
Vancouver, BC
V6B 4N7

Alberta -

Saskatchewan:

Suite 2700, 530 – 8th Ave. S.W.
Calgary, AB T2P 3S8



WARRANTY COMMENCEMENT DATE CERTIFICATE

Individual Unit Warranty

TRAVELERS Home Warranty Tel: 900.555.9431 Fax: 677.762.7922
 Travelers Insurance Company of Canada Suite #810, 540 - 5th Avenue S.W. Calgary, AB T2P 0M2 www.travelerscanada.ca

SCHEDULE "D" - WARRANTY COMMENCEMENT DATE CERTIFICATE

Warranty Type: _____ Building Type: _____ Product Type: _____
 Builder Name: _____
 Builder Address: _____
 Builder No. _____ Tel: _____ Fax: _____

UNIT/PROJECT INFORMATION:
 Address: _____
 Legal Description: (Street) _____ (City, Province) _____ (Postal Code) _____
 Strata Plan: _____ Block: _____ District Lot: _____ Lot: _____ Plan: _____
 Range: _____ Two: _____
 Strata Lot Range: _____ Strata Lot: _____
 Warranty Certificate Number(s): _____

Owner's Name(s): _____ (First Name) _____ (Last Name)
 OR _____ (Strata Corporation No. & Project Name)
 Mailing Address: (Unit No. & Street) _____ (City, Province) _____ (Postal Code) _____
 Telephone: (Home) _____ (Work) _____ E-mail: _____

WARRANTY COMMENCEMENT DATE: _____ / _____ / _____
 (The Warranty Commencement Date as described in the New Home Buyers Protection Act will prevail if conflicting dates arise.)

Materials, labour or design provided by the Owner are excluded from home warranty coverage. Please list all other supplied items below:

*	*
*	*
*	*

To further clarify the scope of work, please provide a copy of the construction contract with the Owner.

MAINTENANCE MANUAL PROVIDED TO OWNER: YES (Provide proof of delivery with this document.)

(Signature Builder) _____ (Signature Owner) _____
 (Print Name) _____ (Date) _____ (Print Name) _____ (Date) _____

Purchaser's Solicitor: _____ (Name) _____ (Address) _____

This document must be completed and signed by both parties in order to establish the commencement date for home warranty coverage. Upon receipt of this duly associated document, Travelers Insurance Company of Canada will issue the Warranty Certificate to the Owner. This document is to be completed at or prior to occupancy.

Your Homeowner's Policy is generated from this document.
 Please make sure your information is clear and accurate.
 PLEASE SIGN AND DATE THIS DOCUMENT

This document may not be copied in whole or in part without the express permission of Travelers Insurance Company of Canada.
 White - Travelers Insurance Company of Canada Yellow - Builder Pink - Owner
 (Rev July 2013)

1 Travelers Insurance Company of Canada will complete the top portion of this document & send to the Builder.

2 1) Builder to complete balance of document with the new home Owner on their Warranty Commencement Date.
 2) Insert the correct Warranty Commencement Date as per the definitions provided later in this Section of the binder.

3 Exclusions - If Applicable
 As per NHBPA Regulations, Section 6 & 7
 Re: "permitted exclusions - defects". Travelers Insurance Company of Canada requires a copy of the Construction Contract in order to validate potential defects during any claims adjustments.

4 Attach "Maintenance Manual Sign-Off" Letter. Sample provided in Section 6 of this binder as a service for you.

5 Builder and Owner must sign, print names & date document. **The actual "on title" new home Owner must sign. A non-owner, relative or friend cannot sign.**

6 Distribute Forms:
 PINK Copy - Give to Owner
YELLOW Copy - Builder copy
 WHITE Copy - Send to Travelers ASAP

- Upon receipt, Travelers Insurance Company of Canada will issue a "Home Warranty Certificate" directly to the new Owner.
- Sample "Home Warranty Certificate" provided later in this Section of the binder (for reference purposes only).



WARRANTY COMMENCEMENT DATE CERTIFICATE (WCDC)

Additional Steps to Commence Common Property Warranty on Strata Titled Homes & Multi-Unit Buildings



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SCHEDULE "D" - WARRANTY COMMENCEMENT DATE CERTIFICATE		
Warranty Type:	Building Type:	Product Type:
Builder Name: _____		
Builder Address: _____		
Builder No.:	Tel: _____	Fax: _____
UNIT/PROJECT INFORMATION:		
Address: _____		
Legal Description:	(City, Province)	(Postal Code)
Strata Plan:	Lot:	Section:
Block:	District Lot:	Plan:
Range:	Trp:	
Strata Lot Range:	Strata Lot:	
Warranty Certificate Number(s): _____		
Owner's Name(s): _____		
(First Name)		(Last Name)
OR _____		
(Strata Corporation No. & Project Name)		
Mailing Address: _____		
(Unit No. & Street)	(City, Province)	(Postal Code)
Telephone: _____	_____	E-mail: _____
(Home)	(Work)	
WARRANTY COMMENCEMENT DATE: _____		
(The Warranty Commencement Date as described in the New Home Buyers Protection Act will prevail if conflicting dates arise.)		
Materials, labour or design provided by the Owner are excluded from home warranty coverage. Please list all owner supplied items below:		
*	*	*
*	*	*
*	*	*
To further clarify the scope of work, please provide a copy of the construction contract with the Owner.		
MAINTENANCE MANUAL PROVIDED TO OWNER: YES <input type="checkbox"/> (Provide proof of delivery with this document.)		
_____ (Signature Builder)		_____ (Signature Owner)
_____ (Print Name)	_____ (Date)	_____ (Print Name) _____ (Date)
Purchaser's Solicitor: _____		
(Name)		(Address)
This document must be completed and signed by both parties in order to establish the commencement date for home warranty coverage. Upon receipt of this duly executed document, Travelers Insurance Company of Canada will issue the Warranty Certificate to the Owner. This document is to be completed at or prior to occupancy.		
Your Homeowner's Policy is generated from this document.		
Please make sure your information is clear and accurate.		
PLEASE SIGN AND DATE THIS DOCUMENT		
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White – Travelers Insurance Company of Canada	Yellow – Builder	Pink – Owner
(Rev July 2013)		

1 Travelers Insurance Company of Canada will complete the top portion of this document & send to the Builder.

2 In addition to the Builder completing 1 WCDC with every new home Owner, the Builder must also complete 1 or more additional WCDCs to commence common property warranties.

- See Definitions of Warranty Commencement Dates included in this Section of your binder.
- Please contact Travelers' Home Registration staff if you are uncertain about how to determine the correct date(s).
- You may also require assistance if the project is phased, possesses more than 1 Strata Corporation, or contains stand-alone amenity buildings.

3 Builder must provide Travelers Insurance Company of Canada with:

- A document signed by the Strata Council Chairperson, Property Manager, or very first new Home Owner acknowledging receipt of a complete copy of a Common Property Maintenance Manual.
- A complete copy of the Maintenance Manual provided to the Strata Corporation.



DEFINITIONS OF WARRANTY COMMENCEMENT DATE in ALBERTA

The following is an excerpt from the *New Home Buyer Protection Act* regarding the commencement of Home Warranty Coverage:

1.0 Determination of Protection Period in the Commencement of Home Warranty Coverage:

- 1.1 The Commencement Date in the case of a New Home other than common property or common facilities is as follows:
- (a) for a New Home constructed by a residential builder on land owned by the builder, where there is a transfer of title to a new owner the Commencement Date is the earliest of:
 - (i) the date the New Home is first occupied,
 - (ii) the date an accredited agency, accredited municipality or accredited regional services commission grants permission to occupy the home, and
 - (iii) the date the transfer of title to the New Home is registered.
 - (b) for a New Home constructed by a residential builder or an owner builder on land owned by the owner or the owner builder prior to permit issuance, the Commencement Date is the earliest of:
 - (i) the date the New Home is first occupied, and
 - (ii) the date an accredited agency, accredited municipality or accredited regional services commission grants permission to occupy the home.
 - (c) for a New Home constructed by a residential builder on land not owned by the owner, where there is no transfer of title to the land by the residential builder to the owner, the Commencement Date is the earliest of:
 - (i) the date the New Home is first occupied, and
 - (ii) the date an accredited agency, accredited municipality or accredited regional services commission grants permission to occupy the home

2.0 New Homes in a Condominium

- 2.1 If a New Home is included in a Condominium Plan, *Travelers Insurance Company of Canada* will provide Home Warranty Coverage for the following:
- (a) the New Home comprising the residential units
 - (b) the Common Property and Common Facilities
- 2.2 The Commencement Date for the Home Warranty coverage on any Common Property or Common Facilities is as follows:
- (a) the Commencement Date of Home Warranty coverage of Common Property and multi-unit buildings is concurrent with the first Commencement Date for a New Home in each separate multi-unit building comprising the Condominium Plan or multi-unit building
 - (b) In order for Subsection 2.2 (a) to remain in force as per the *New Home Buyer Protection Act and Regulations*, the Builder must agree to deliver the Building Assessment Report for the Building within 180 days of the Commencement Date established for the Building that is part of the Condominium Plan

3.0 Additional Information for Home Warranty Coverage:

- 3.1 For the purposes of Subsection 1.1(a)(ii) and (b)(ii), in a jurisdiction where occupancy permits are not issued, a New Home is deemed to have reached the stage of occupancy when it is capable of being legally occupied.
- 3.2 If a Builder registers a New Home for Home Warranty Coverage and then allows an owner to undertake a portion of the construction of the home on their own or with a trade or supplier arranged by them, the Builder will be responsible for this work if it occurs prior to the commencement of Home Warranty Coverage as stated in Section 1.0.

Travelers Canada:

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