



CHAPTER 4

COMMENCEMENT OF WARRANTY COVERAGE

Overview: BC

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

COMMENCING WARRANTY COVERAGE(S) in BC



Home Warranty
Tel: 604.682.3095
Toll Free: 800.555.9431
Fax: 604.682.3096

Travelers Insurance Company of Canada
850 West Georgia Street, Suite 2500
P.O. Box 11542
Vancouver, British Columbia V6B 4N7
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: _____ (Street) _____ (City, Province) _____ (Postal Code)
 Legal Description: Strata Plan: _____ Lot: _____ Section: _____
 Block: _____ District 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) _____ Fax: _____

WARRANTY COMMENCEMENT DATE: ____/____/____
 (The Warranty Commencement Date as described in the Homeowner 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 (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 (formerly Travelers Guarantee 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 May 2012)

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 BC (Cont'd)



Home Warranty
Tel: 604.682.3065
Toll Free: 800.555.9431
Fax: 604.682.3066

Travelers Insurance Company of Canada
650 West Georgia Street, Suite 2500
P.O. Box 11542
Vancouver, British Columbia V6B 4N7
www.travelerscanada.ca

SCHEDULE "E-1" - 2-5-10 HOME WARRANTY CERTIFICATE
(Detached Dwelling Unit)

Address: Civic Address for the Home located in BC
 Legal Description: Legal Description for the property
 Warranty Certificate #: Warranty Certificate Number
 Builder Name: Company Name Builder #: Travelers Builder Number
 Builder's Phone: Builder's Phone Number Builder's Fax: Builder's Fax Number
 Builder's Address: Builder's Address

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

1. Warranty Commencement Date	As defined by the legislation
2. Materials & Labour Warranty	Expiry Date: <u>One Year from Above</u>
a) 1 Year defects in Materials and Labour:	
b) 2 Years defects in Materials and Labour supplied for:	Expiry Date: <u>Two Years from Above</u>
i. the gas, electrical, plumbing, heating, ventilation and air conditioning delivery and distribution systems; and	
ii. the exterior cladding, caulking, windows and doors that may lead to detachment or material damage to the New Home:	Expiry Date: <u>Five 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 Warranty Certificate please find a sticker outlining these important dates for you to affix in a conspicuous location in your new home.

In consideration of the payment to Travelers Insurance Company of Canada of the premium for this Warranty Certificate, Travelers Insurance Company of Canada agrees to provide Warranty coverage subject to limits as set out herein, in accordance with the terms, conditions, forms, rates and endorsements contained in this Warranty Certificate.

In witness whereof Travelers Insurance Company of Canada has duly executed this Warranty Certificate.

TRAVELERS INSURANCE COMPANY OF CANADA
(*Travelers Insurance Company of Canada*, formerly Travelers Guarantee Company of Canada)


 Executive Vice-President and Chief Executive Officer



Home Warranty
Tel: 604.682.3065
Toll Free: 800.555.9431
Fax: 604.682.3066

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Vancouver, British Columbia V6B 4N7
www.travelerscanada.ca

SCHEDULE "E-2" - 2-5-10 HOME WARRANTY CERTIFICATE
(For Dwelling Units in Multi Family Buildings and Common Property)

Address: Civic Address for the Unit located in BC
 Legal Description: Strata Lot and Legal Description for the Property
 Warranty Certificate #: Warranty Certificate Number
 Builder Name: Company Name
 Builder #: Travelers Builder Number
 Builder's Phone: Builder's Phone Number Builder's Fax: Builder's Fax Number
 Builder's Address: Builder's Address

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

	Dwelling Unit As defined by the legislation	Common Property As defined by the legislation
1. Warranty Commencement Date:	As defined by the legislation	As defined by the legislation
2. Materials & Labor Warranty:	Expiry Date: <u>One Year from above</u>	Expiry Date: <u>Fifteen months from above</u>
a) 1 Year defects in Materials and Labor:		
b) 15 Months for Common Property:		
2 Years defects in Materials and Labor supplied for:	Expiry Date: <u>Two Years from above</u>	Expiry Date: <u>Two Years from above</u>
i. The gas, electrical, plumbing, heating, ventilation and air conditioning delivery and distribution systems; and	Expiry Date: <u>Two Years from above</u>	Expiry Date: <u>Two Years from above</u>
ii. The exterior cladding, caulking, windows and doors that may lead to detachment or material damage to the New Home:	Expiry Date: <u>Five Years from above</u>	Expiry Date: <u>Ten 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 Warranty Certificate please find a sticker outlining these important dates for you to affix in a conspicuous location in your new home.

In consideration of the payment to Travelers Insurance Company of Canada of the premium for this Warranty Certificate, Travelers Insurance Company of Canada agrees to provide Warranty coverage subject to limits as set out herein, in accordance with the terms, conditions, forms, rates and endorsements contained in this Warranty Certificate.

In witness whereof Travelers Insurance Company of Canada has duly executed this Warranty Certificate.

TRAVELERS INSURANCE COMPANY OF CANADA
(*Travelers Insurance Company of Canada*, formerly Travelers Guarantee 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 "E-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 "E-2").
 - **Guidelines for proper document completion of the Warranty Commencement Date Certificate(s) follow in this Section.**



IMPORTANT INFORMATION ON EXCLUSIONS in BC

The Homeowner Protection Act Regulations, Section 11, Permitted Exclusions - Defects, permits a warranty provider to exclude specific items from home warranty insurance, including, but not limited to:

- a) *materials, labour or design supplied by an owner;*
- b) *any defect in, or caused by, materials or work supplied by anyone other than the residential builder or its employees, agents or subcontractors;*
- c) *changes, alterations or additions made to a new home by anyone after initial occupancy, except those performed by the residential builder or its employees, agents or subcontractors as required by the home warranty insurance or under the construction contract or sales agreement.*

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

B.C Head Office

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

Alberta-Saskatchewan Head Office

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

WARRANTY COMMENCEMENT DATE CERTIFICATE

Individual Unit Warranty



Home Warranty
Tel: 604.682.3095
Toll Free: 800.555.9431
Fax: 604.682.3096

Travelers Insurance Company of Canada
650 West Georgia Street, Suite 2500
P.O. Box 11542
Vancouver, British Columbia V6B 4N7
www.travelersinca.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: _____
 (Street) _____ (City, Province) _____ (Postal Code) _____
 Legal Description: Strata Plan: _____ Lot: _____ Section: _____
 Block: _____ District Lot: _____ Plan: _____
 Range: _____ Twrp: _____
 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: _____ Fax: _____
 (Home) _____ (Work) _____

WARRANTY COMMENCEMENT DATE: _____
 (The Warranty Commencement Date as described in the Homeowner 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 (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 (formerly Travelers Guarantee 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 May 2012)

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 HPA Regs, Section 11 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 homeowner 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



Home Warranty
Tel: 804.682.3095
Toll Free: 800.555.9431
Fax: 804.682.3096

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650 West Georgia Street, Suite 2500
P.O. Box 11542
Vancouver, British Columbia V6B 4N7
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)

State Plan: _____ Lot: _____ Section: _____

Block: _____ District Lot: _____ Plan: _____

Range: _____ Twp: _____

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) _____ Fax: _____

WARRANTY COMMENCEMENT DATE: _____ MM / ____ / ____ (The Warranty Commencement Date as described in the Homeowner 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 (Provide proof of delivery with this document.)

(Signature Builder)	(Signature Owner)
(Print Name)	(Print Name)
(Date)	(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 (formerly Travelers Guarantee 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 May 2012)

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

3 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 BC

The following is an excerpt from the *Travelers Insurance Company of Canada 2-5-10 Home Warranty Certificate*:

1.0 Fee Simple New Homes

- 1.1 The Commencement Date for the Warranty coverage of a New Home held in fee simple is as follows:
- (a) for a New Home constructed by a Residential Builder on land owned by the Owner, the Commencement Date is the earliest of:
 - (i) the date of actual occupancy of the New Home,
 - (ii) the granting of an occupancy permit or similar right to occupy by the authority having jurisdiction, and
 - (iii) the date that the New Home is completed and ready for occupancy;
 - (b) for a New Home constructed by a Residential Builder on land not owned by the Owner, the Commencement Date is the earlier of:
 - (i) the date of actual occupancy of the New Home, and
 - (ii) the transfer of the legal title of the New Home to the Owner.
- 1.2 For the purposes of subsection B.1.1(a), in a jurisdiction where occupancy permits are not issued, a New Home is deemed to have reached the stage of occupancy when it:
- (a) is “completed” as that term is defined by the *Builders’ Lien Act*, and
 - (b) is capable of being occupied.

2.0 Strata Titled New Homes

- 2.1 If a New Home is included in a Strata Plan, *Travelers Insurance Company of Canada* will provide warranty coverage for the following:
- (a) the New Home comprising the strata lot;
 - (b) the Common Property.
- 2.2 The Commencement Date for the Warranty coverage of the New Home comprising the strata lot, is the earlier of:
- (a) actual occupancy of the New Home, and
 - (b) the transfer of legal title to the strata lot.

3.0 Common Property and Multi-Unit Buildings Not in a Strata Plan

- 3.1 The Commencement Date of 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 Strata Plan or multi-unit building.

4.0 Unsold Units used as Rental Units

- 4.1 If an unsold New Home owned by a Residential Builder is occupied as a rental unit, the Commencement Date is the date the New Home is first occupied by a tenant.

5.0 BCHMC Social Housing

- 5.1 If a New Home is a Social Housing building, the Commencement Date is the date of substantial completion.

Travelers Canada:

Toll Free: 1-800-555-9431

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Vancouver:

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