

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): Friesen, Betty-Anne

Owner Builder Authorization No.: 79298

PROPERTY INFORMATION

Civic Address: 166 Menhinick Drive

City/Town: Salt Spring Island

Province: British Columbia

Postal Code: V8K 1W7

PID: 004-778-359

Legal Description: LOT 3 LD 16 SEC 54 SOUTH SALT SPRING ISLAND COWICHAN DIST
PLAN 12534

CONSTRUCTION INFORMATION

Building Permit: SS10-332

Building Permit Issue Date: 2010/Nov/15

First Occupancy Date: 2011/Sep/30

Owner Builder Authorization Date: 2010/Jul/06

MATERIAL FACTS

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

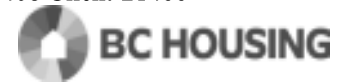
The home is not covered by a policy of home warranty insurance. Statutory protection, as per section 23 of the Act, is available to a purchaser of the home.

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: Camplair Enterprises, Rick Camplair, (250) 252-5893

Electrical: Michael Byron Electric, Michael Byron, (250) 537-9825

Engineering: Mann Engineering & Planning Corporation, David R. Mann, (250) 497-9982

Excavation: Ken Byron Excavating, Ken Byron, (250) 537-2882

Falling (trees): Christoph Weeks, (250) 653-0063

Flooring: Doctor J's Hardwood Flooring, Josh Clarke, (604) 868-8141

Flooring: Harwell Renovations, Garfield Hartwell, (604) 868-5886

Foundation: Camplair Enterprises, Rick Camplair, (250) 252-5893

Foundation: Mid Isle Holdings, (250) 753-3697

Foundation: Gulf Coast Material Ltd., (250) 537-2611

Framing: Camplair Enterprises, Rick Camplair, (250) 252-5893

Framing: Pacific Homes, Paul Latter, (250) 743-5584

Gutters: Aarsen Enterprises, Hank Aarsen, (250) 619-7691

Heating/AC: Ted Baldwinson, (250) 931-2809

House Design: Pacific Homes, Paul Latter, (250) 743-5584

Insulation: Mike the Insulator Ltd., Mike Sawchuk, (250) 653-9522

Interior Wall Finish: Saltspring Interiors Drywalling, Brian Little, (250) 537-2590

Kiln Drying: Canadian Bavarian Millwork & Lumber Ltd., Eva Woernie

Milling/Tree Work: Wave Hill Farm, Mark Whitear, (250) 653-4121

Painting: Kevin C. Marks Painting and Decorating, Kevin Marks, (250) 537-4594

Plumbing: Polaris Plumbing and Pipefitting, Rick Traer, (250) 537-4997

Roofing: Camplair Enterprises, Rick Camplair, (250) 252-5893

Roofing: Pacific Homes, Paul Latter, (250) 743-5584

Sewer/Septic: H2O Environmental Ltd., Steven Carballeira, (250) 335-1864

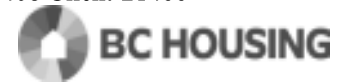
Soil remediation: No information provided

Surveying: Wolfe-Milner Land Surveying Inc., Brian Wolfe-Milner

Tiling: Hartwell Renovations, Garfield Hartwell, (604) 686-5886

Well Drilling: Albert Kaye & Sons Drilling, Albert Kaye, (250) 653-4757

Windows/Doors: Pacific Homes, Paul Latter, (250) 743-5584



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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.