

TIME SENSITIVE INFORMATION



FIRST YEAR WARRANTY PROCESS

During the first year, your Builder takes the lead role to repair warranty defects and address your concerns. Please note the ***time frames required*** to submit first-year warranty items.

First year means - 12 months from the date of possession of your home. This date is found in your Warranty documents.

THE STEP-BY-STEP PROCESS

Step 1

Contact your Builder during the first year to discuss defects requiring repair or any other concerns you may have.

Step 2

If the defects are not resolved, send your builder a registered letter **prior to the end of the first year** of warranty coverage.

Be sure to include your R and H Warranty numbers in the letter. These can be found on your Warranty documents.

- This letter to the builder must be sent by **Registered Mail**;
- A copy of this letter must be sent to our office either by fax, regular or e-mail;
- Both the AHW copy and the builder's letter must be received **prior** to the end of the first year warranty expiry.

AHW will respond in writing to both you and your builder. You will be sent a Request for Conciliation form.

Step 3

If you decide to proceed with Conciliation, submit the "Request for Conciliation" to the AHW office. This must be received, at the latest, **within sixty days (60)** after the one year anniversary of your date of possession. This specific date will be quoted in the letter that accompanied the request for conciliation form. Atlantic Home Warranty will not respond to any request for conciliation if the document is not received by the date specified.

Upon receipt of the form, an AHW representative will meet with you and your builder at your home and inspect the complaint items as soon as conveniently possible.

Step 4

Following the conciliation inspection, a report will be prepared and provided to you and your builder. If we must hire external experts to assist with the inspection, such as a structural engineer, this will also be provided to you along with the report. The report will outline the inspector's observations relating to the outstanding items between you and your builder and whether these meet industry guidelines in terms of construction and/or performance.

In the event the items meet the requirements to repair, the builder is expected to perform these repairs in a timely fashion with scheduling conducted by the homeowner and the builder. Atlantic Home Warranty does not undertake repairs in the first year of your warranty unless your builder becomes bankrupt/insolvent.

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YEARS 2-7 (10) WARRANTY PROCESS

The second component of your warranty coverage is for **MAJOR STRUCTURAL DEFECTS (also referred to as MSD)**

AHW shall repair Major Structural Defects which becomes apparent during the remaining warranty period. Major Structural Defects caused by an Act of God or other causes not arising from a defect in work or materials, are not covered.

Major Structural Defect means a defect in work or materials, including Soil Movement, that has resulted in actual physical damage to and failure of, a load-bearing portion of the home, which both:

- 1) Materially and adversely affects it's load-bearing function;
And
- 2) Vitally affects the use of the home for residential purposes.

To help clarify this definition, a "load-bearing portion" of the home means a structural component essential to the structural stability of the home which performs the function of transmitting dead and/or live loads to the supporting ground.

THE STEP BY-STEP PROCESS

Step 1

Before the **expiry of your warranty period** notify AHW in writing of any defects that you feel may be a Major Structural Defect (MSD).

NOTE: *Water ingress alone is not an MSD but can be the cause of an MSD. We only cover it if the load-bearing portion (framing) shows actual physical damage (rot). We don't do destructive investigation & therefore the area needs to be opened up in order for the inspector to see if it qualifies as an MSD.*

Step 2

You will receive a letter outlining what action is required from you. We will assign an AHW representative to further examine the defect and assess whether or not an MSD has occurred.

Step 3

If it is determined that a Major Structural Defect has occurred, AHW will arrange repairs to correct the problem and will pay up to the remaining aggregate limit shown on the Warranty Certificate;

Step 4

If following this assessment it is determined an MSD has not occurred and you do not agree, you may wish to hire an **Independent Structural Engineer**. For us to consider the report, the engineer must be in good standing with their Provincial Engineering Association and carry professional liability insurance. Please ensure your engineer reviews the warranty wording and in particular, the definition of MSD before presenting his report. The engineering fee is paid by you, the homeowner.

If, upon further consideration it is deemed an MSD has occurred based upon this report, AHW will refund your engineering fee.

How to Reach AHW?

Phone: (902) 450-9000
1-800-320-9880
Fax: (902) 450-5454

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