

DEFINITIONS OF WARRANTY COMMENCEMENT DATE

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 Home Warranty Coverage of a New Home held in fee simple is as follows:
- (a) for a New Home constructed by a 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 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 is:
- (a) "completed" as that term is defined by the *Builders' Lien Act* in effect from time to time, and
 - (b) capable of being legally occupied.
- 1.3 For the purposes of Subsection B.1.1(a), if the Builder is not contracted to construct the New Home to the stage where any of the items in subsection B.1.1(a) are achieved, the Commencement Date for the Home Warranty Coverage will be established as the earlier of:
- (a) the date the Residential Builder completes the scope of work defined in the contract, or
 - (b) the last date the Residential Builder was involved in the construction of the New Home

2.0 New Homes that are part of a Multi Unit Building

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

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

- 3.1 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.

4.0 Unsold Units used as Rental Units

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