



Ontario
Home Builders'
Association

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Ministry of Public and Business Service Delivery
56 Wellesley St. W., 6th Floor, Toronto ON, M7A 1C1

Proposal Number: 22-MGCS023

RE: Amendments to the *New Home Construction Licensing Act, 2017* to support the proclamation of administrative monetary penalties

The Ontario Home Builders' Association (OHBA)

The Ontario Home Builders' Association (OHBA) is the voice of the residential construction industry in Ontario. OHBA represents over 4,000 members including builders, developers, professional renovators, trade contractors and many others within the residential construction sector.

Feedback

Builders and vendors in Ontario are expected to comply with the expectations and standards set out through the *New Home Construction Licensing Act*, subsequent regulations as well as advisories and directives of the Home Construction Regulatory Authority (HCRA).

Builders rely on a predictable and stable regulatory system to help ensure high professional standards throughout the new home construction process. While the proposed Administrative Monetary Penalty (AMP) regime does specify base monetary penalties, the final amount, calculated based on monetary benefit may be challenging to quantify given the complexity of operational finances in residential construction.

OHBA suggests the Ministry provide further clarity and guidance to HCRA on how the AMP regime is to be implemented so as to focus on the negative impacts of illegal building and intentional contravention of the Code of Ethics. Any AMP regime should have guidelines to ensure the proposed changes achieve their intended objective. Furthermore, the Ministry should meet with OHBA as a key stakeholder to further analyze options to close the loopholes for illegal building. This would set forth a stronger plan which would not only better protect consumers, but also aid the Ministry on revenue leakage caused by illegal building.

We thank the Ministry for the opportunity to comment on these proposals. We also recognize that there is still more work to do and OHBA may provide further comments at a later date. We look forward to continuing engaging with the Ministry in order to ensure these proposals are aligned with the goals of advancing consumer protection in the new home construction sector.