

# Illegal Building Complaint Form

Illegal building is home building that is done contrary to the provisions of the New Home Construction Licensing Act, 2017 and the Ontario New Home Warranties Plan Act. It includes:

- Building a new home without being a licensed builder, unless the individual building the home is also the owner of the property and the home is being built for their own occupancy and not for purposes of offering it for sale
- Vending a new home (selling) that has not been previously occupied without being a licensed vendor
- Building and vending a new home for purposes of sale or selling a new home not previously occupied where the home has not been qualified for enrolment or enrolled with Tarion Warranty Corporation for purposes of warranty protection

The HCRA takes illegal building seriously and responds promptly to illegal building complaints.

## Instructions

Please use this form to submit concerns and/or complaints about a new home builder or vendor who is not licensed with the HCRA or a home that is not enrolled with Tarion Warranty Corporation.

Provide copies of the following documents and retain the originals.

### **If the home was purchased through an Agreement of Purchase and Sale:**

- Agreement of Purchase and Sale (required)
- Real estate (MLS) listing
- Any legal action documents (e.g., Statement of Claim, Statement of Defence, Third Party Claim/Defence, etc.)

### **If the home was/is being constructed by a builder on your land:**

- Construction Contract (required)
- Invoices
- Copies of any payments (cheques, bank drafts, etc.)
- Any legal action documents (e.g., Statement of Claim, Statement of Defence, Third Party Claim/Defence etc.)

After submitting your complaint, you will receive an email acknowledging that the HCRA has received your information. Each complaint will be reviewed and assessed. Your complaint may lead to an investigation, which may result in charges or administrative action against the builder and/or vendor. Should a charge be laid, you may be asked to testify in Provincial court and provide evidence relating to your complaint.

If we do not receive your completed form and documents, we will be unable to process the complaint and no further action will be taken.

You can email the completed form and supporting documents to [compliance@hcraontario.ca](mailto:compliance@hcraontario.ca)

## Notice of Consent

Personal information provided on this form is being collected by the Home Construction Regulatory Authority (HCRA) under the authority of the New Home Construction Licensing Act, 2017 as part of the HCRA's role as the regulator of new home builders and vendors to protect the public interest. Your personal information is necessary to look into and/or address the matters in your complaint. The HCRA may need to disclose your information to third parties as part of its review or handling of your complaint. By submitting this form, you consent to the HCRA disclosing the information contained on this form, and any additional information that you supply about your complaint, to the following parties:

1. The individual(s) and/or entity(ies) named in your complaint
2. Tarion Warranty Corporation
3. The Minister of Government and Consumer Services or any other member of the Executive Council to whom the responsibility for the administration of this Act is assigned under the Executive Council Act

By submitting this form, I hereby authorize the Home Construction Regulatory Authority to disclose the information I have submitted about my complaint, including my personal information, to the parties listed above as may be required for the purposes of further reviewing or handling my complaint.

If you have questions about the HCRA's collection and disclosure of your personal information, please contact:

Telephone: 416-487-HCRA (4272)

Email: [info@hcraontario.ca](mailto:info@hcraontario.ca)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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## Complainant Information

Last Name		First Name	
Unit Number	Street Number	Street name	
City/Town		Province	Postal Code
Phone Number		Email address	

## Complaint Related to Home(s)/Property in Question

Unit Number	Street Number	Street Name	
City/Town		Province	Postal Code
Municipality		Type of Home	
Property Status:			
Under Construction	Listed or For Sale	Sold	Occupied by Owner
			Contract to Build

## Relationship to home(s)/property in Question

### Purchaser or Owner of the Property

> Proceed to questions 1 through 13

### Third Party/Other

Please explain below your relationship to the home(s)/property:

Company Name/Occupation:

> Proceed to questions 14 through 22

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## Purchaser/Owner Questions

1. Name of the vendor of the home as it appears on the Agreement of Purchase and Sale (*if your home was purchased through an Agreement of Purchase and Sale*):
  
2. Name of the builder (*business name*) as it appears in the Construction Contract (*if you hired a builder to build a home on your land*):
  
3. Contact information for the vendor and/or builder:

Vendor		Builder	
First Name		Last Name	
Company Name			
Street		City	
Municipality		Postal Code	
Phone Number		Email Address	

Vendor		Builder	
First Name		Last Name	
Company Name			
Street		City	
Municipality		Postal Code	
Phone Number		Email Address	

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4. When did you take possession of your home? *(if applicable)*
5. Was the home occupied at any time before you took possession?  
No      Yes – Please provide the details below regarding who occupied the home and for how long
6. Are there any civil actions, lawsuits or liens involving the home/property?  
No      Yes – Please provide the details below
7. Did you provide any labour and/or materials for the construction of the home? This includes work you completed personally, materials you have supplied, as well as trades over which you had control or contracted with directly.  
No      Yes – Please provide the details below
8. Is the construction of the home complete?  
Yes      No – Please provide a list of what remains to be completed  
*(do not include deficiencies in work that is complete)*
9. Has the contract been completed in full or was it terminated prior to completion?
10. If the contract was terminated, please explain

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11. Are you aware of any other homes currently under construction, for sale, or sold by the same vendor and/or builder?  
No      Yes – Please provide the address(es) below

## **Purchaser/Owner Outcome**

12. What would you like the outcome of your complaint to be?

## **Purchaser/Owner Reason for Complaint**

13. Please provide a brief description regarding your complaint. Please refrain from including any deficiencies with the construction your home.

## Third Party/Other Questions

14. What is the stage of the construction of the home? *(if applicable)*

15. Who is the builder of the home?

Builder	
First Name	Last Name
Company Name	
Street	City
Municipality	Postal Code
Email Address	Phone Number

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16. Who is the vendor of the home *(if applicable)*?

Vendor	
First Name	Last Name
Company Name	
Street	City
Municipality	Postal Code
Email Address	Phone Number

17. Is the home currently listed for sale?  
 No      Yes – Please provide more detail below

18. Is the new home currently occupied or has the new home been previously occupied?  
 Currently occupied      Yes      No  
 Previously occupied      Yes      No

19. Are you aware of any other new homes currently under construction or for sale or sold by the same vendor and/or builder?  
 No      Yes – Please provide the address(es) below

20. Do you know the name of the owner of the property?  
 No      Yes – Please provide the owner's contact information below



## Third Party/Other Outcome

21. What would you like the outcome of your complaint to be?

## Third Party/Other Reason for Complaint

22. Please provide a brief description regarding your complaint including reasons for submitting the complaint.