
Regulatory Update: 10-001
Subject: Amendments to the *Homeowner Protection Act*
Regulation
Legislation: *Homeowner Protection Act* – Regulation
(B.C. Reg 29/99)
Date: September 29, 2010

The purpose of this regulatory update is to advise of amendments to the *Homeowner Protection Act* regulation B.C. Reg 29/99, (the “*Regulations*”). Most of these amendments are for the purpose of making the wording of the *Regulations* consistent with recent amendments to the *Homeowner Protection Act* (the “*Act*”) which transferred responsibilities to BC Housing.

In addition, a new permitted exclusion to a policy of home warranty insurance has been added to Section 10 of the *Regulations*. Namely, components of a converted designated heritage building that have heritage value and do not conform to the BC Building Code may now be excluded from a policy of home warranty insurance.

A definition of “designated heritage building” has also been added to the *Regulations* to provide clarification. This new permitted exclusion from home warranty insurance addresses the concern that heritage features, particularly original windows, should be retained, but often could not because of concerns by warranty providers that they will be liable under the policy of home warranty insurance for these features not performing up to current building code standards.

The amendments to the *Regulations* are effective from June 25, 2010.

Please direct any questions about this update to the Homeowner Protection Office (HPO).

The amended *Regulations* can be viewed on the Acts and Regulations page of the HPO website at www.hpo.bc.ca.

The Homeowner Protection Office (“HPO”), a branch of BC Housing, periodically issues updates to provide information regarding certain provisions contained in the *Homeowner Protection Act* (the “*Act*”) and regulations made under the *Act*. Care has been taken to confirm the accuracy of the information contained herein; however, such information and comments are general in nature and are not a substitute for the *Act*, its regulations or any other applicable law. Readers are cautioned that nothing in this update can or does change any laws and if there is an inconsistency between anything in the bulletin and the relevant provisions of the *Act* and other laws in force at the time, such laws will prevail.

Notwithstanding anything contained herein, the HPO will apply and abide by the *Act* and its regulations. Nothing herein should be taken as a substitute for independent legal advice, which readers should obtain for themselves.