

# Appointment of Designate Form

## Common Elements Statutory Warranties

To: Tarion Warranty Corporation ("Tarion")  
And To: \_\_\_\_\_ ("Vendor")  
From: \_\_\_\_\_ (the "Condo Corporation")  
Re: Address of Condominium Project: \_\_\_\_\_ (the "Project")  
Enrolment No. for CE: \_\_\_\_\_ ("Common Elements")  
Designate Name: \_\_\_\_\_ ("Designate")  
Designate Company Name (if applicable): \_\_\_\_\_  
Designate Phone No.: \_\_\_\_\_ Designate Email Address: \_\_\_\_\_

The Board of Directors on behalf of the Condo Corporation and after due consideration: selects, designates, authorizes and directs the Designate to deal with Tarion in respect of all matters relating to the Project and Common Elements including without limiting the generality of the foregoing:

- a. Complete and submit to Tarion and the Vendor any and all Statutory Warranty Forms and any related information and documentation (including Performance Audit);
- b. Apply for and receive a password to access Tarion's internet portal for addressing warranty matters relating to the Common Elements (the "MyHome Portal");
- c. To use all features of the MyHome Portal for and on behalf of the Condo Corporation;
- d. Request, schedule, cancel, or otherwise deal with conciliations;
- e. Attend meetings and inspections with Tarion and/or the Vendor;
- f. Receive warranty-related correspondence or other materials from Tarion and/or the Vendor;
- g. Update tracking information;
- h. Agree to and sign any: acknowledgement of repairs; agreement re resolution of claims; written waiver; or settlement of warranty claims with Tarion and/or the Vendor; and
- i. Generally approve, disapprove and discuss warranty-related information and documentation with Tarion and/or the Vendor;

The Designate has full power and authority to bind the Condo Corporation. Tarion need not enquire into the authority of the Designate to act for and on behalf of the Corporation.

Unless and until Tarion receives a replacement Appointment of Designate form, signed and accompanied by a certified copy of a Resolution of the Board of Directors, Tarion shall deal exclusively with the Designate. No revocation of this Appointment of Designate is valid unless accompanied by such replacement documents.

The Condo Corporation bears the risk of missed deadlines or other consequences of failing to select and authorize a Designate as aforesaid.

Condominium Corporation:

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: President

I have authority to bind the Corporation.

**RESOLUTION OF THE BOARD OF DIRECTORS**

\_\_\_\_\_  
[INSERT FULL NAME OF CONDOMINIUM CORPORATION]

**WHEREAS:**

- A. [Insert full name of condominium corporation] \_\_\_\_\_  
(the "Corporation") was established by registration of the declaration and description for [full description of the condominium project] (the "Project").
- B. In order to facilitate the submission, tracking, processing and general administration of warranty claims relating to the common elements of the Project, the Board of Directors wishes to designate an individual who will have full authority to deal with Tarion Warranty Corporation in connection with such warranty claims.

**NOW THEREFORE IT IS HEREBY RESOLVED THAT:**

1. [Insert full name of the Designate] \_\_\_\_\_ is hereby authorized and directed to be and act as the condominium corporation's duly authorized designate, in all dealings with Tarion involving warranty claims relating to the common elements of this condominium, in accordance with (and pursuant to) the attached Appointment of Designate Form, the terms and provisions of which are hereby expressly authorized, sanctioned and approved.
2. The attached Appointment of Designate is hereby authorized and approved.
3. The President of the Corporation is hereby authorized to execute the Appointment of Designate as well as such other agreements, certificates, consents, corporate papers and other documents and take all such further action as he or she may deem necessary or desirable in order to give effect to this resolution and intent of the Appointment of Designate.
4. The President's name and signature are set out below:

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

CERTIFIED to be a true copy of a Resolution passed by the Board of Directors of [insert full name of condominium corporation] on the \_\_\_\_\_ (day) of \_\_\_\_\_ (month), \_\_\_\_\_ (year), which Resolution remains in full force and effect unamended as of the date hereof.

DATED this \_\_\_\_\_ (day) of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
Secretary Name

\_\_\_\_\_  
Secretary Signature

Corporate Seal