

CONSTRUCTION WARRANTY

**Re: Strata Lot _____ (the "Strata Lot")
DEVELOPMENT (the "Development")**

1.0 DEVELOPER (the "Developer") warrants that:

- (a) the Strata Lot will be constructed as permitted by the _____ Municipal/Regional District and substantially in accordance with the Plans and specifications referred to in the Offer to Purchase and Agreement of Sale for the Strata Lot; and
- (b) the Developer will repair defects in workmanship or materials and major structural defects in the construction of the Strata Lot or the common property of the Development which become manifest during the ___ year period commencing on the earlier of the date of substantial completion as determined by the architect for the Development and the issuance of a final base building occupancy permit for the Development.

2.0 It is acknowledged that the following items shall not be considered defects in workmanship and materials:

- (a) defects in materials, design and workmanship supplied by the Purchaser;
- (b) normal cracks in plaster, paint, drywall, masonry, stucco and concrete;
- (c) normal shrinkage or warpage of materials;
- (d) defects arising from normal wear and tear or improper or inadequate maintenance by the Purchaser including damage caused by or resulting from dampness or condensation due to failure of the Purchaser to maintain adequate heat and/or ventilation in the Strata Lot;
- (e) defects in workmanship or materials in alterations or repairs made by the Purchaser and defects in workmanship or materials arising from such alterations made by the Purchaser;
- (f) defects which are on or in the common property of the Development;
- (g) patent defects or other surface imperfections;
- (h) damage or defects caused by other purchasers or occupants of strata lots in the Development or their agents and invitees, or resulting from any acts or omissions of a third party for whom the Developer is not at law responsible;
- (i) damage or defects caused by vandalism or wilful damage and destruction;
- (j) damage or defects resulting from any acts of God including earthquake, fire, flood and unusually severe weather conditions such as tornadoes, hurricanes, uncommon cold, heat, rain, snow, hail and wind;

THIS IS A 2-PAGE FORM.