



**Home  
Construction  
Regulatory  
Authority**

Home Construction Regulatory Authority  
40 Sheppard Avenue West, Fourth Floor, Suite 400  
Toronto, ON M2N 6K9  
Tel: 416-487-HCRA (4272) Fax: 416-352-7724

July 26, 2023

Delivered by email to: edmundfarrage@gmail.com  
mansouradevelopment@bellnet.ca  
yf@farragedevelopments.com  
EF@farragedevelopments.com

To: Edmund Farrage  
Mansoura Development Inc.  
111 Gordon Baker Rd. Ste. 510  
Toronto, ON  
M2H 3R1

Attention Edmund Farrage:

**Re: NOTICE OF PROPOSAL TO REFUSE TO RENEW APPLICATION**

**The Registrar, Home Construction Regulatory Authority (“HCRA”) proposes to refuse to renew the licence of Mansoura Development Inc. under section 40(1)(a) of the *New Home Construction Licensing Act, 2017* (“NHCLA”).<sup>1</sup>**

**A. REASONS**

**Background**

1. On or about May 8, 2007, Mansoura Development Inc. (“Mansoura”) applied to Tarion Warranty Corporation (“Tarion”) to be registered (“licensed” under the NHCLA) as a vendor/builder.
2. On October 14, 2020, due to concerns about its conduct, Tarion added conditions to Mansoura’s registration, including a requirement to complete the Customer Service and Tarion Requirements course (“Course”) under the Builder Education Program. Mansoura was required to show proof of successful completion of the Course by March 13, 2021.
3. This condition was meant to address a gap in the licensee’s knowledge, skills and judgment. Without proof of successful completion of the Course, Mansoura represents a risk to the public.

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<sup>1</sup> *New Home Construction Licensing Act, 2017*, SO 2017, c 33, Sched 1, available online here: [www.ontario.ca/laws/statute/17n33#BK44](http://www.ontario.ca/laws/statute/17n33#BK44).



4. Before February 1, 2021, Tarion acted as the regulator of new home builders and vendors and the administrator of Ontario's new home warranty program. On February 1, 2021, the HCRA became responsible for regulating new home builders and vendors in Ontario. Tarion continues to administer Ontario's new home warranty program.
5. On or about March 17, 2021, Mansoura applied to the HCRA for a renewal of its licence. When it applied for renewal, Mansoura had not completed the Course as required by the condition. To date, despite numerous requests, Mansoura has still not provided confirmation that it completed the Course.
6. Accordingly, the Registrar of the HCRA proposes to refuse to renew Mansoura's licence for failing to meet the conditions of its licence.

### **The HCRA**

7. The HCRA regulates new home vendors and builders in accordance with the NHCLA and with the principle of promoting the protection of the public interest.
8. Part of the HCRA's oversight function includes considering concerns raised about applicants and licensees and taking appropriate action to protect the public as authorized by the NHCLA.

### **Particulars – Breach of Conditions of Licence**

#### *Chargeable Conciliations*

9. Chargeable conciliations occur when Tarion determines that one or more items reported by the homeowner is warranted under the Ontario New Home Warranties Plan Act and the vendor/builder failed to repair or resolve the item(s) during the applicable repair period and no exception to chargeability applies.
10. In late 2018 and early 2019 Mansoura had three chargeable conciliations. The chargeable conciliations included several issues such as missing caulking, paint defects, laminate floor issues, and exposed wires on cabinet under mount lights. Due to these chargeable conciliations, Tarion required Mansoura to meet with the Stakeholder Relations department at Tarion to review customer service practices.
11. Despite this meeting, Mansoura incurred another chargeable conciliation in 2019. As a result, Tarion added terms and conditions to its registration.



*Letter with Conditions of Licence*

12. On October 16, 2020, Tarion sent a letter to Mansoura detailing the terms and conditions that would be added to its registration to deal with after sale service and chargeable conciliation issues. One condition required Mansoura to complete the Course. Mansoura was to provide proof of successful completion of the Course by March 13, 2021.
13. On August 21, 2021, the HCRA emailed Mr. Farrage, principal and director of Mansoura, regarding Mansoura's application for renewal. The HCRA advised that Mansoura would have to complete the Course to proceed with the renewal application. The HCRA did not receive a response from Mr. Farrage.
14. On October 8, 2021, Yasmeen Farrage emailed the HCRA to advise that she was an officer of the company. Ms. Farrage advised that Mr. Farrage was unable to respond or complete the Course. Ms. Farrage advised she would complete the Course on behalf of the company. On February 9, 2022, Ms. Farrage sent proof of registration in the required Course.
15. On August 29, 2022, approximately a year after initially receiving the renewal application and reaching out to Mr. Farrage, the HCRA sent an email asking for a Statement of Achievement to confirm successful Course completion by the end of the week. The HCRA attempted to follow up by phone; however, both phone numbers the HCRA had on file for Mansoura had been disconnected, and the HCRA did not receive any response to its emails.
16. On September 12, 2022, a final notice was sent to Mr. Farrage stating that if the required documents were not received by September 18, 2022, a Notice of Proposal to refuse the renewal of the application may be issued.
17. No further correspondence was received from either Mr. Farrage or Ms. Farrage. It has now been 33 months since the condition had been placed on the licence, 21 months since Mansoura indicated that it would complete the course, and 16 months since the HCRA had any contact from them.

**Grounds for the Proposal**

18. Under section 38(1)(d) of the NHCLA, in the Registrar's opinion, Mansoura is in breach of a condition of the licence.
19. Under section 38(1)(c)(i) and (ii) of the NHCLA, in the Registrar's opinion, Mansoura has carried on, or is carrying on, activities that are in contravention of



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prescribed legislation, or that will be in contravention of prescribed legislation if Mansoura is issued a licence.

20. Under section 38(1)(g) of the NHCLA, granting a licence to Mansoura is contrary to the public interest.

### **Conclusion**

21. For the reasons stated above, and further to the mandate of the HCRA under section 3(3) of the NHCLA to maintain a fair, safe and informed marketplace and promote the protection of the public interest, the Registrar maintains that Mansoura is not entitled to be licenced under the NHCLA.

### **Amended or Additional Reasons or Particulars**

22. The Registrar may serve amended or additional reasons or particulars of conduct.



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## **B. RIGHT TO A HEARING**

**If you dispute this decision, you have the right to request a hearing before the Licence Appeal Tribunal (“Tribunal”) about this proposal.**

**To request a hearing, you must deliver a Notice of Appeal form within 15 calendar days after this Notice of Proposal is delivered to you, addressed to the following:**

Licence Appeal Tribunal  
PO Box 250  
Toronto, ON M7A 1N3  
LATregistrar@ontario.ca  
Phone: 416-326-1356  
Toll free: 1-888-444-0240  
TTY: Call the Bell Relay Service at 1-800-855-0511

**AND**

The Registrar  
Home Construction Regulatory Authority  
40 Sheppard Ave West, 4th Floor, Suite 400  
Toronto, Ontario M2N 6K9  
Legal@hcraontario.ca

**IMPORTANT NOTE: This is a notice of proposed action. If you choose not to dispute this decision, your Licence will be refused without any further advance notice to you.**

**If your Licence is refused, then you will be prohibited from acting or holding yourself out as a vendor or builder, offering to sell or transfer a new home, selling or transferring a new home, offering to construct a new home, or constructing a new home.**

The Notice of Appeal form and other information about hearings may be found on the Tribunal’s website at <https://slasto-tsapno.gov.on.ca/lat-tamp/en/>.

When an applicant or licensee delivers a Notice of Appeal form within the timeline set out above, a legal proceeding before the Tribunal will commence. The Tribunal may direct



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the Registrar to carry out the proposal or may substitute its opinion. The Tribunal may also attach conditions to its order or to a licence.

The HCRA cannot advise you about the appeal process. If you dispute this decision, you have the right to retain a lawyer or paralegal to represent you.

Information about this proposal will be reported publicly on the HCRA website <https://www.hcraontario.ca/> and the Ontario Builder Directory <https://obd.hcraontario.ca/>.

### **Contact Information**

If you have any questions about the reasons for the Proposal or wish to discuss this matter with the HCRA, please contact [Legal@hcraontario.ca](mailto:Legal@hcraontario.ca). If you have any questions about the appeal process or timelines, please contact the Tribunal at:

Licence Appeal Tribunal  
PO Box 250  
Toronto, ON M7A 1N3  
[LATregistrar@ontario.ca](mailto:LATregistrar@ontario.ca)  
Phone: 416-326-1356  
Toll free: 1-888-444-0240  
TTY: Call the Bell Relay Service at 1-800-855-0511

Dated at Toronto this 26th day of July, 2023.

A handwritten signature in black ink, appearing to read 'W. Moir', enclosed in a thin black rectangular border.

Wendy Moir  
Registrar, HCRA