

**Reason:**

As per the file review completed, the "Conciliation Inspection Summary" received by Tarion through the submission of electronic application does not list this item (18) of claim under "Items for Inspection" and is therefore considered resolved. However, if needed this may be submitted on the Year-End form.

This complaint example (hinges) as reviewed is assessed as not warranted. There is no defect in materials that amounts to a breach of the One Year Materials Warranty.

(19)

(19) | Interior - Floor 02 - Bathroom - Electrical - Bathroom exhaust fan & lights switch installed on the outside of the bathroom. It is inconvenience to the home owner to use this washroom. In common practice the bathroom electrical switches always install inside of the bathroom. Safety issue

**Reason:**

The second floor bathroom fan and light switch location was discussed and assessed for warranty coverage. See CPG article 7.3, "electrical outlets or switches" etc., was used to assess this item. Electrical outlets and switches shall be installed in accordance with manufacturer's specifications and the Ontario Electrical Safety Code. The builder provides Two-Year - Delivery and Distribution Systems.

Note; design and or the subjective finishes that are not provided or not defined in the contract, are excluded from statutory warranty.

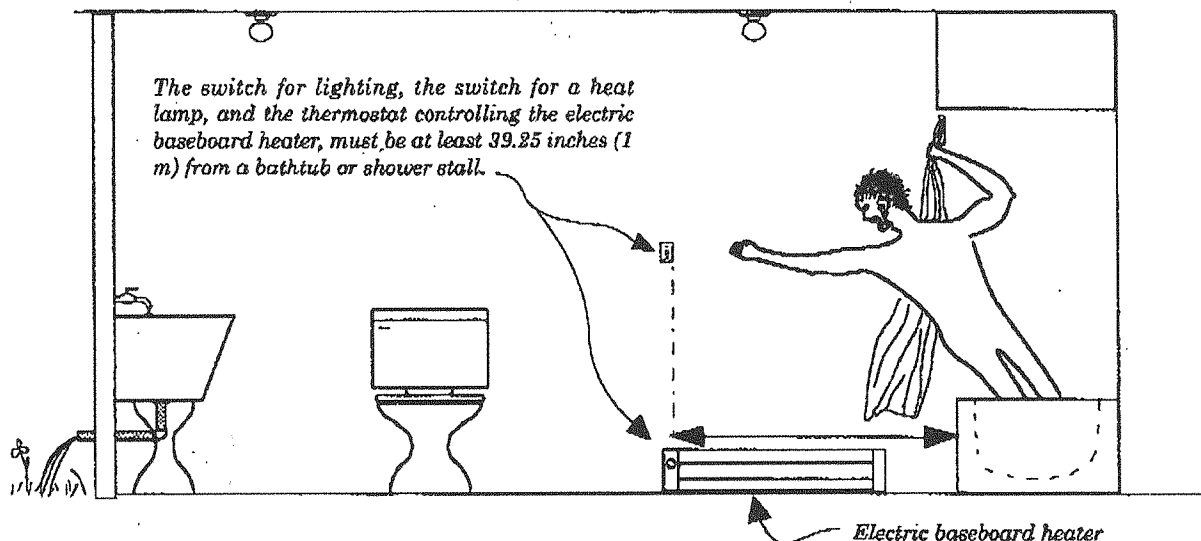
The builder's representative discuss the location of the switches as located in the hall area of the second floor outside the bathroom entrance. This claim as to the location of the switch is related to the Electrical Safety Code and design of the home.

On site visual review was completed (switches not located in the bathroom) of which the condition does not represent a defect or damage as related to warranty coverage. The design and or location of a switch is outside the scope of warranty. This claim is related to the negotiated contract. This complaint example, (the fan and light switch location outside the bathroom) as inspected is assessed as not warranted, unless otherwise evidence is provided to prove the claim. There is no defect in materials that amounts to a breach of the One Year Materials Warranty. The materials meet the standards required by the Construction Performance Guidelines, which are available online at [www.tarion.com](http://www.tarion.com).

This complaint does not fall within the statutory warranties provided under the Ontario New Home Warranties Plan Act. However, the owner may have other recourse for this complaint under the purchase agreement and may wish to seek legal advice.

**Switch Outlet Boxes**

- (a) **Vapour Barrier for a Switch Outlet Box** - The Building Code requires boxes to be surrounded with a moisture resistant barrier if they are located in a wall or ceiling which is required to have a vapour barrier. See page 60 for details.
- (b) **Height of Switches** - The rules do not specify a required height for wall mounted light switches. They may be located at any convenient height - usually they are set at approximately 1.2 m (approx. 48 in.) to the lower edge of the box.
- (c) **Bathroom Light Switch** - Rule 30-322(3) says the light switch must not be located within reach of a person in a shower or bathtub. Appendix B for Rule 30-322(3), page 470 in the Code, defines out of reach as 39.4in. (1m). This means that switches controlling these loads may be inside the bathroom provided they are at least 39.4in. from the a bathtub or shower stall.



**Note 1 - Horizontal Measurement** - The Code does not specifically say so but it is best to understand this is a horizontal measurement from the switch to the nearest outside face of a shower stall, or tub, as illustrated above.

**2 - Other Switches & Controls Located in a Bathroom** - The Code does not specifically say all controls and switches located in a bathroom must be 1 m (39.4 in.) from a bath tub or shower stall but they are all equally dangerous if they operate at the same voltage.

**Heat Lamp Control Switch** - The switch for the infra-red heat lamp should, not must, be at least 39.4 inches (1 m) from the bath tub or shower stall.

**Thermostat Control** - Thermostats located on a wall or on a heating unit should, not must, be at least 39.4 inches (1 m) horizontal distance from the outside face of a tub or shower stall.

**Bathroom Fan Switch** - This switch is just as dangerous as the others listed above and should also be located at least 39.4 inches (1 m) from the outside face of a tub or shower stall.

**3 Hydromassage bath tub Control** - See page 106 for details.

- (d) **Stairway Lighting Control Switches** - Rule 30-328 requires illumination at all stairwells - there is no exception. Control switches for these light outlets are required at both head and foot of each stairway in all cases except where the basement is a dungeon like space which has no finished area and no egress other than the one stairway leading into it.

**Watch this one!** The Rule says you must be able to turn off that stairway light from either the top or bottom of the stairway. This may not be possible with the area lighting switch in the case of open stairways leading into lower level rooms or areas. See page 55 for more details.

- (e) **Connection of Switches** - Rules 4-084(2), 30-602 - Switch connections shall be made so that there is a white wire and a black wire to the fixture. To do this the connection should be made as follows: The white wire in the supply cable shall connect directly to the screw shell (the silver terminal) in the lamp holder. The black wire from the switch connects to the center (gold) terminal in the lamp holder. In this

ATTN Rew for lot 10R by 2

**Section 30**  
*Installation of lighting equipment*

**30-316 Luminaires exposed to flying objects**

Where luminaires are installed in gymnasiums or similar locations where the lamps are normally exposed to damage from flying objects, the lamp shall be guarded by one of the following means:

- (a) metal reflectors that effectively protect the lamps;
- (b) metal screens; or
- (c) enclosures of armoured glass or suitable plastic material.

**30-318 Luminaires in damp or wet locations**

- (1) Luminaires installed in damp or wet locations shall be approved for such locations and be so marked.
- (2) Luminaires suitable for use in wet locations shall be permitted to be used in damp locations as well.

**30-320 Lighting equipment in damp locations or near grounded metal**

- (1) Where luminaires are installed in damp locations or within 2.5 m vertically or 1.5 m horizontally of laundry tubs, plumbing fixtures, steam pipes, or other grounded metal work or grounded surfaces, the luminaires shall be controlled by a wall switch, except as permitted in Subrule (2).
- (2) Outlet-box-type luminaires marked for use in damp locations and luminaires marked for use in wet locations, with an integral switch, shall be permitted to be installed under the conditions of Subrule (1).
- (3) Switches (including wall switches) controlling luminaires covered by Subrules (1) and (2) shall
  - (a) be located not less than 1 m from a bathtub or shower stall (this distance measured horizontally between the switch and the bathtub or shower stall) without piercing a wall, partition, or similar obstacle; or
  - (b) If the condition in Item (a) is not practicable, be located not less than 500 mm from a bathtub or shower stall and be protected by a ground fault circuit interrupter of the Class A type.

**30-322 Totally enclosed gasketed luminaires**

Incandescent totally enclosed gasketed luminaires, unless marked as suitable for the purpose, shall not be mounted on a combustible ceiling.

**Wiring of lighting equipment**

**30-400 Wiring of luminaires**

All electrical wiring on or within a luminaire shall be

- (a) neatly arranged without excess wiring;
- (b) not exposed to mechanical injury; and
- (c) arranged so that it is not subjected to temperatures above those for which it is rated.

**30-402 Colour coding**

Notwithstanding the requirements of Sections 0, 4, and 10 with regard to the colours used for distinguishing and identifying conductors, a continuous-coloured tracer in the braid of an individual braided conductor shall be permitted for the supply conductors of a luminaire, the colour of the tracer being black, white, and green for the ungrounded, identified, and bonding conductors respectively.

**30-404 Conductor insulation**

Luminaires shall be wired with conductors at least No. 18 AWC, having insulation suitable for the voltage and temperatures to which the conductors may be subjected.

**30-406 Conductors on movable parts**

- (1) Stranded conductors shall be used on chain-type luminaires and other movable parts of lighting equipment.
- (2) Conductors shall be arranged so that the weight of the luminaire or the movable parts does not place undue tension on the connections.
- (3) All conductors that supply movable parts of lighting equipment shall be protected against mechanical injury.

**30-408 Wiring of ceiling outlet boxes**

- (1) Branch circuit conductors having insulation suitable for 90 °C shall be used for wiring of ceiling outlet boxes on which a luminaire is mounted, except for boxes in wet locations where Type NMW or NMWU cables are used.
- (2) For purposes of compliance with this Rule, the ampacity of 90 °C wire shall be limited to the ampacity of 60 °C wire.