

# New Home Ombuds Privacy Policy



## **Purpose**

The New Home Ombuds office (the office) is a confidential and independent office of Tarion, charged with ensuring fairness and assisting homeowners to navigate Tarion's processes. Being a confidential office, the circumstances under which information held by the office can be disclosed or accessed are strictly limited.

The purpose of this policy is to outline how the office collects, uses and retains information and the circumstances under which the New Home Ombuds office will disclose information.

## **Accountability**

The Ombuds shall be accountable for all decisions on the administration of this policy and may delegate all or some of their powers and responsibilities under this policy to a delegate.

## **Collection of Information**

The office shall collect only the information that is needed to resolve fairness disputes and/or carry out the functions of our mandate. If complainants provide additional information, not needed in the resolution of a file, the office may keep, return, or destroy the information, at the discretion of the Ombuds.

## **Use of Information**

The information collected shall be used only for the resolution of fairness disputes and/or to carry out the functions of the office's mandate.

## **Security of Information**

All information held by the office shall be securely kept, with staff taking all reasonable measures to safeguard both physical and electronic files. At a minimum, this requires that physical files are stored in locked cabinets and that electronic files are protected under Multifactor Authorization protocols and accessible only by Ombuds staff.

## **Disclosure of Information**

All complainants are asked to provide permission for the office to access their Tarion file and to discuss their concerns with Tarion in order to resolve their fairness concerns. With this permission, the office will disclose information to Tarion as needed to resolve the file and will inform Tarion of the office's findings.

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If the complainant requests any information be kept confidential from Tarion, the office will honor this request, but this may impact our ability to assist the complainant. If a complainant asks that we not share information and we feel that not sharing this information presents a fairness or ethical concern, the office may refuse to pursue the case further, at the discretion of the Ombuds.

Except as outlined above, records held by the New Home Ombuds will be disclosed only when compelled by law or in the event of a credible threat of harm to any individual.

If there is a danger of harm to any individual, the Ombuds may, at their discretion, release information to the appropriate authorities.

If compelled by law to disclose records, the office will make every effort to inform the complainant(s) affected.

## **Access to Information**

The records of the New Home Ombuds office are not available to the public. At the discretion of the Ombuds, the office may release to a complainant information which that complainant originally provided to the office. Depending on the volume of documents requested, there may be a fee charged for this service.

No other information will be released to a complainant. The New Home Ombuds office does not have the authority to release Tarion records to any complainant. Complainants who would like records from their Tarion file must request them from Tarion directly.

## **Retention of Records**

All Ombuds records will be retained for a period of ten years following the closure of a case, or the most recent file activity on a case.

Some statistical information, completely redacted of personal identifiers, may be retained for research purposes beyond the ten-year timeframe.