

New Home Ombuds Privacy Policy



Purpose

The New Home Ombuds 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 Ombuds office will disclose information.

Accountability

The Ombudsperson 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 Ombudsperson.

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 Ombuds 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 discuss their concerns with Tarion in order to resolve their fairness concerns. With this permission, Ombuds office staff 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 Ombuds office will honor this request, but this may impact office's ability to assist the complainant. If a complainant asks that the Ombuds office not share information and the Ombuds office determines that not sharing this information presents a fairness or ethical concern, at the discretion of the Ombudsperson, the Ombuds office may refuse the complaint.

Except as outlined above, records held by the Ombuds office 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 office may, at its discretion, release information to the appropriate authorities.

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

Access to Information

The records of the Ombuds office are not available to the public.

At the discretion of the Ombudsperson, the Ombuds 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 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 by contacting Tarion's Privacy Officer at privacyofficer@tarion.com.

Retention of Records

All Ombuds office records will be retained for a period of ten years following the closure of a case, at which time all identifying information will be deleted from the record.

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

In the event that the Ombuds office receives notice of a litigation hold to be placed on a file, the office will suspend the application of this retention period for that file until the office is notified that the hold has been lifted.

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MONITORING METHODOLOGY

Reviewed by Stakeholder Committee	2024/02/05; 2025/02/04; 2026/02/04
Reviewed by Board of Directors	2024/02/22; 2025/02/18; 2026/02/18
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