



February 1, 2021

DALE POOZHIKALA, SONNY JOSEPH POOZHIKALA & VALSA MARY POOZHIKALA  
2453 TESLA CRESCENT  
OAKVILLE, ONTARIO  
L6H 7T6

**\* Sent via Email \***

Dear DALE POOZHIKALA, SONNY JOSEPH POOZHIKALA & VALSA MARY POOZHIKALA,

**Purchaser: DALE POOZHIKALA, SONNY JOSEPH POOZHIKALA  
& VALSA MARY POOZHIKALA**  
**Vendor: Russell Gardens Building Ltd.**  
**Property: Mountainview Heights 3 (G) - Building: 3**  
**Address: 214 Granite Ridge Trail**  
**Lot/Unit: 196**

First Notice - (s.5(b) Tarion Addendum)

**UNAVOIDABLE DELAY EVENT HAS OCCURRED**

**RE: Purchase Agreement dated the 5th day of September, 2020 including Addendum, and amendments, if any (the "Purchase Agreement") relating to the Home.**

The terms of your Purchase Agreement (see the Addendum) permit the Vendor to extend the date of closing or occupancy and other critical dates in certain circumstances, including where there has been an event and/or loss of construction time which amounts to an Unavoidable Delay.

**PLEASE NOTE THAT:**

1. An "Unavoidable Delay" event has occurred which may delay completion of your home. The specific "Unavoidable Delay" trigger event is as follows: COVID-19 Pandemic.
2. The province wide state of emergency was declared on January 4, 2021. It may affect timing of delivery of your home as a result of the lack of trades and municipal government closures.
3. It is possible that the pandemic may affect the completion and/or delivery schedule of the above-noted home.
4. You should be aware that the delay in completion of your home will include the combination of two (2) periods of time. The total delay will include both:
  - 1) the period of time for direct impacts of the pandemic; but also,
  - 2) any additional period of delay due to after-effects caused by the pandemic which are beyond the vendor's reasonable control (the "**Remobilization Period**").
5. It is difficult at this stage to be certain if or how long the total delays may be and thus how the construction schedule for your Home will be affected.
6. As more information becomes available, we will keep you informed of developments.

**For further information regarding the delay, please visit: [www.tarion.com](http://www.tarion.com).**

**Russell Gardens Building Ltd.**

\*An "Unavoidable Delay" means a strike, fire, explosion, flood, act of God, civil insurrection, act of war, act of terrorism or pandemic, plus any period of delay directly



caused by the event, which is beyond the reasonable control of the builder and is not caused or contributed to by the fault of the builder.