

**ARBITRATION TRIBUNAL  
CONSTITUTED BY VIRTUE OF THE REGULATION RESPECTING THE  
GUARANTEE PLAN FOR NEW RESIDENTIAL BUILDINGS  
(O.C. 841-98 OF 17 JUNE 1998)  
ARBITRATION BODY AUTHORIZED BY THE RÉGIE DU BÂTIMENT DU QUÉBEC  
RESPONSIBLE FOR THE ADMINISTRATION OF THE BUILDING ACT (R.S.Q., C.  
B-1.1)  
UNDER THE AEGIS OF  
SOCIÉTÉ POUR LA RÉOLUTION DES CONFLITS INC. (SORECONI)**

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CANADA  
PROVINCE OF QUÉBEC

SORECONI FILE N°: 230404001  
GCR FILE N°: 125449-484  
DATE: AUGUST 7, 2025

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**IN THE PRESENCE OF: M<sup>TRE</sup> TIBOR HOLLÄNDER**

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**GAVIN MAYERS AND JANET DANIELS**

**«BENEFICIARIES»**

-and-

**HABITATIONS RAYMOND ALLARD INC.**

**«CONTRACTOR»**

-and-

**GARANTIE CONSTRUCTION RÉSIDENTIELLE (GCR)**

**«MANAGER»**

<b>ABITRATION AWARD</b>
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**THE PARTIES**

[1.] The parties are identified below:

**Ms. KAREN MAYERS AND MR. GAVIN  
MAYERS  
[ ]  
BENEFICIARIES**

**MR. OLIVIER DUROCHER**  
Habitations Raymond Allard Inc.  
456 Saint-Charles Avenue suite 200  
Vaudreuil-Dorion, Québec,  
J7V 2N5  
**CONTRACTOR**

**MR. NORMAN PITRE**  
Garantie Construction Résidentielle  
(GCR)  
4101, Molson, suite 300  
Montréal, Québec,  
H1Y 3L1  
**MANAGER**

## **ARBITRATION TRIBUNAL**

**MTRE TIBOR HOLLÄNDER**  
**ARBITRATOR / SORECONI**  
Place du Canada  
1010 ouest, de la Gauchetière #950  
Montréal, Qc. H3B 2N2

Date of Visit of the Building: May 5, 2025  
Date of Hearing: In person on May 5 and 6, 2025, and by  
videoconference on May 23, 2025  
Location: Place du Canada, 1010 Gauchetière West,  
Suite 950, Montreal, Quebec

## **MANDATE**

- [2.] The Tribunal is seized with two applications for arbitration, joined together, one of which involves the decision rendered by Mr. Norman Pitre, on March 7, 2023, in file 1254449-484, involving claims submitted by the Beneficiaries under the *Regulation respecting the guarantee plan for new residential buildings*.
- [3.] On June 19, 2023, the undersigned was named arbitrator.
- [4.] For the reasons stated in the Arbitration Award rendered by the Tribunal on August 7, 2025, in Soreconi files N° 222103301 and Soreconi files N° 2300404001, points 7, 8 and 10 are dismissed.

## **COSTS**

- [5.] Section 123 of the Regulation expresses the legislator's intention concerning the awarding of the costs of arbitration, worded as follows:

*"123. Arbitration fees are shared equally between the manager and the contractor where the latter is the plaintiff.*

*Where the plaintiff is the beneficiary, those fees are charged to the manager, unless the beneficiary fails to obtain a favourable decision on any of the elements of his claim, in which case the arbitrator shall split the costs.*

[Emphasis added]

[6.] Consequently, the costs and fees of this arbitration, in accordance with sections 116 and 123 of the Regulation, shall be apportioned and paid in the following manner:

[6.1] \$50.00 to be paid by the Beneficiaries, with the remainder being paid by the Manager;

**FOR THESE REASONS, THE ARBITRATION TRIBUNAL:**

[7.] **MAINTAINS** the Manager's objections involving points 7, 8 and 10;

[8.] **DISMISSES** the arbitration application and claims formulated thereunder by the Beneficiaries involving points 7, 8 and 10;

[9.] **ORDERS** in accordance with section 123 of the Regulation, that the costs and fees of arbitration be split with the Beneficiaries paying \$50.00 with the remainder of the costs and fees to be paid by the Manager.

Montreal, August 7, 2025



**M<sup>TRE</sup> TIBOR HOLLÄNDER**  
**ARBITRATOR**