

October 22, 2003

ARBITRATION
UNDER THE « RÉGLEMENT
SUR LE PLAN DE GARANTIE DES
BÂTIMENTS RÉSIDENTIELS NEUFS
(Décret 841-98 du 17 juin 1998) »

JACQUES E. OUELLET
ARBITRATOR

Arbitration firm authorized by
« La Régie du bâtiment du Québec »

SORECONI
(Société pour la résolution des conflits inc.)
File number PG 030930001

M. Aaron Bensimon

Appellant

Développement les Terrasses de l' Ile Inc.

Contractor

ET

LA Garantie des bâtiments résidentiels neufs de l'APCHQ inc.

Administrateur du plan de garantie

Respondent

APPEAL OF A DECISION MADE BY WARRANTY PLAN ADMINISTRATOR

ARBITRATION AWARD

MANDATE

Arbitrator received his mandate from SORECONI on October 7, 2003.

CASE HYSTORY

Arbitration Request September 30 2003

Arbitrator Appointed October 7 2003

Arbitrator received by fax appellant's request to terminate arbitration proceedings on October 20 2003

AWARD

[1] On October 17 2003, arbitrator received a request from Tanya Marsden about how to go about « retracting from arbitration ». Information given.

[2] On October 20 2003, arbitrator received by fax a letter signed by Aaron Bensimon, appellant, reading as follows : « This letter is to inform you that I would like to retract my arbitration request made on September 30th, 2003. An agreement has been reached with the APCHQ. Please see below for details. » (Copy attached)

[3] What followed was a partial reproduction of a letter addressed to Mr Bensimon by Joanne Tremblay, Inspecteur/conciliateur, Garantie maisons neuves APCHQ, outlining terms and conditions of a proposal for settlement, which Mr Bensimon agreed to.

[4] Therefore, the undersigned arbitrator ratifies and records the agreement that has been made and, as a result, terminates all present arbitration proceedings.

Fait et datée à Montréal, le 22 octobre 2003

Jacques E. Ouellet, Arbitre