

November 10, 2022

Ref. Hawthorn6.fnd/c-22

H. Baur Investments Ltd.  
c/o The Brown Group of Companies Inc.  
3910 Chesswood Drive  
North York, ON M3J 2W6

**Attention: Annette Klimt**

[annette@thebrowngroup.net](mailto:annette@thebrowngroup.net)

**Re: 6 Hawthorn Gardens, Toronto**  
**Foundation Leakage Repairs**  
**Date of Substantial Performance: November 4, 2022**

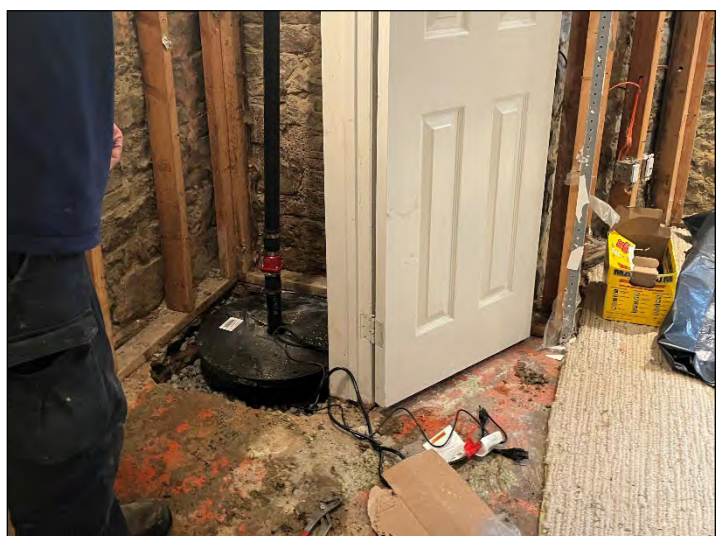
This letter will serve to confirm our opinion that the above work was Substantially Performed in accordance with the Construction Lien Act on the above date. The Work is warranted by the Contractor against faulty workmanship and materials for a period of **2 years** from the date of Substantial Performance. There is additionally an extended warranty for **5 years** on materials from the manufacturer for cold-applied foundation waterproofing.

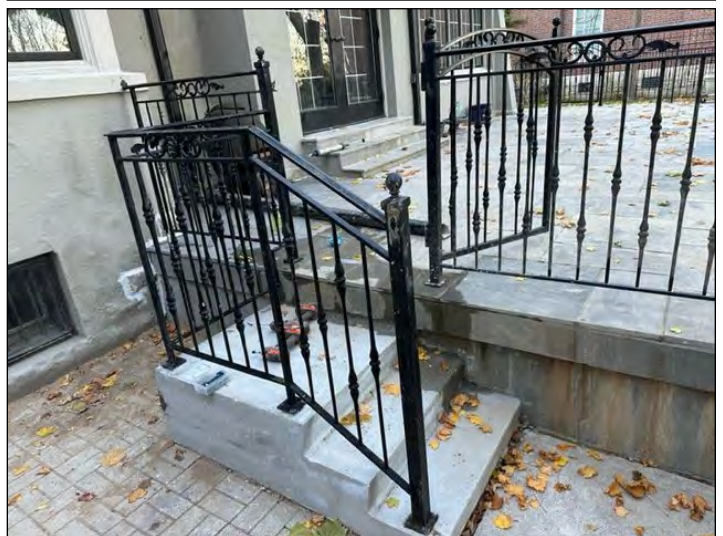
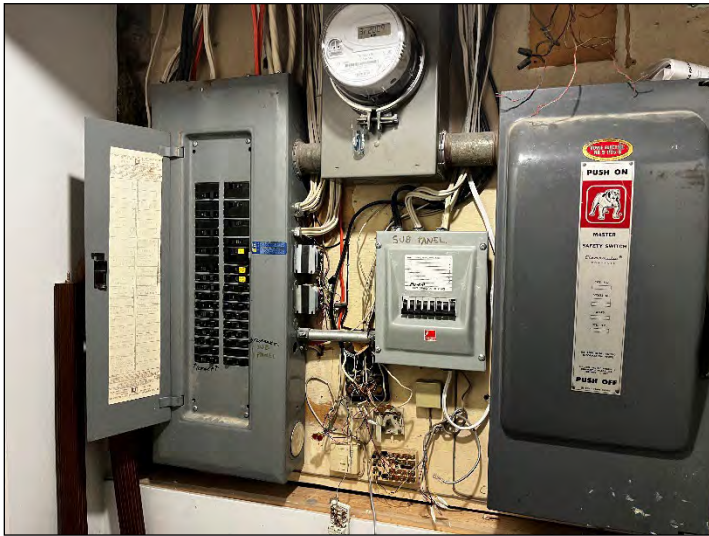
Payment of the 10% Statutory Holdback becomes due 60 days after Substantial Performance is published and upon the Contractor's submission of the following documentation, provided no liens have been registered against the property.

- Request for Release of Holdback
- WSIB Clearance Certificate
- Statutory Declaration
- Confirmation of Warranty
- Confirmation of Publication of Substantial Performance (A copy of the CCDC Form 9 has been enclosed to facilitate publication of Substantial Performance).

Upon receipt of the above documentation, we will issue a Payment Certificate related to the Release of Holdback.

At this time, we would provide the following photographic summary of the work completed on this project.





Should you wish to review matters further, please contact us at (905) 737-0111.

Yours truly,  
**BROWN & BEATTIE LTD.**



Allaiza Mag-aso, EIT



Sebastian Law, B.Arch.Sc.

- c. Brad Gascoigne, Brown & Beattie Ltd. ([gascoigne@brownbeattie.com](mailto:gascoigne@brownbeattie.com))
- Jeremy Nixon, Brown & Beattie Ltd. ([nixon@brownbeattie.com](mailto:nixon@brownbeattie.com))
- Jarrod Liberatore, August Contracting Ltd. ([jl.august@yahoo.ca](mailto:jl.august@yahoo.ca))

**FORM 9**  
**CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE**  
**CONTRACT UNDER SECTION 32 OF THE ACT**  
*Construction Act*

Toronto

(County/District/Regional Municipality/Town/City in which premises are situated)

6 Hawthorn Gardens, Toronto

(street address and city, town, etc., or, if there is no street address, the location of the premises)

This is to certify that the contract for the following improvement:

Foundation Leakage Repairs

(short description of the improvement)

to the above premises was substantially performed on November 4, 2022

(date substantially performed)

Date certificate signed: November 9, 2022



(payment certifier where there is one)

(owner and contractor, where there is no payment certifier)

Name of owner: H. Baur Investments Ltd.

Address for Service: c/o The Brown Group of Companies Inc., 3910 Chesswood Drive, North York, ON M3J 2W6

Name of contractor: August Contracting Ltd.

Address for service: 2346 Wycroft Road, Oakville, Ontario L6L 6M1

Name of payment certifier: Brown & Beattie Ltd.

(where applicable)

Address: 588 Edward Avenue, Unit 49, Richmond Hill, ON, L4C 9Y6

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

Lots 10394-0298

(if a lien attaches to the premises, a legal description of the premises, including all property identifier numbers and addresses for the premises)

B. Office to which claim for lien must be given to preserve lien:

Owner's Address for Service

(if the lien does not attach to the premises, the name and address of the person or body to whom the claim for lien must be given)