

Davis Realty News



Jack Davis

FROM CAROLYN'S KITCHEN

Cornmeal Dumplings

3/4 cup corn water
3/4 cup water
1/2 cup cornmeal
1/2 cup flour
1/2 teaspoon salt
pepper (to taste)
2 teaspoons backing powder
1 egg beaten
7 oz drain corn
1 teaspoon sugar

Cook cornmeal with water and corn water, add small amount of hot cornmeal to beaten egg, mix and return egg to hot cornmeal then add cornmeal to the rest of dry mixture including corn.

Steam 12-15 minutes

Great served with stew, soup or anything you fancy.

**ISSUE 2
2011**

SAVING LAUNDRY ENERGY

Do your laundry for \$200 less!

Stop hundreds of dollars from being washed away in your laundry room every year! Simply follow these super-easy tricks that'll cut your energy bill, reduce water use and save you money - while still getting your clothes sparkling fresh and clean!



1. Save \$100 a year by halving your detergent.

Laundry detergent may help remove stains and scent your clothes, but it's not the main reason they get clean. The actual cleaning is done by your washer's agitator and by the clothes rubbing against each other, which

loosens dirt. That's why experts say you can use half the detergent and still get fresh, clean clothes.

2. Save \$40 a year by using cool water.

It is a fact: Warm water doesn't make clothes any cleaner than cool water. But there is a big difference when it comes to our energy bill - around 90% of the energy used by your washer goes to heat the water! Skip the heat, and you'll snag cool savings.

3. Saving \$30 a year with full loads.

The average home uses 3,400 fewer gallons of water a year when they wash full loads instead of smaller ones, says the U.S. Department of Energy.

4. Save \$40 a year by cleaning the lint.

Cleaning the lint trap after every use reduces your electric bill by cutting 15 minutes off your dryer time! This improves air circulation so your clothes are exposed to more heat, making them dry faster.

(Thanks to Pillar to Post for use of article)

Jack's Night Out at the Movies

The lucky winners of this issue's "night out" are Chris Beaubien & Andrea Thomas. They have won tickets and treats for two at the movie of their choice. Want to enter for the next draw? Give Jack a call: 250-598-6200 to say hello or send a quick email: jdavis@davisrealty.ca He likes to hear from his friends & clients... anytime!

Thank you to all of my clients for the continued loyalty over the years and I appreciate your referrals!

Relying on Building Inspectors

MULLIN DEMEO LEGAL UPDATE - August 22, 2011

Most real estate purchases are made conditional on the buyer approving the results of a building inspection. Because most buyers are unable to determine whether a house is well built and structurally sound on their own, they rely on advice provided by qualified, licensed inspectors. However, what if the information and advice provided by the inspector turns out to be incorrect? A recent decision of the B.C. Supreme Court examined this exact scenario.

In 2006 a prospective purchaser (hereafter the "Purchaser") made a conditional offer to purchase a Victoria property. The offer was accepted by the sellers. One condition of the offer was that it was subject to the Purchaser's approval of the results of an inspection; the Purchaser hired a local building inspector to inspect the property and, upon completing of his inspection, the inspector advised the Purchaser that there was a solid, complete foundation and only minor drainage problems with the house. In addition, when the sellers filled out the Property Disclosure Statement (the "PDS") they indicated that they were not aware of any structural problems or moisture related problems with the house. Relying on that advice, and on the PDS, the Purchaser removed this condition in addition to all of the others and completed her purchase.

After completion, the Purchaser discovered water damage in the house caused by significant cracking in parts of the foundation, and further discovered that the house was not in fact supported by a complete foundation. The costs of completing the necessary repair work were estimated at more than \$30,000, so the Purchaser sued the building inspector alleging negligence as well as the sellers for misrepresentation.

At the outset of the trial the Supreme Court judge quickly dismissed the case against the sellers. The judge reaffirmed that the PDS is not a warranty from the sellers to the buyers, and that in most instances the seller's only obligation is to not mislead or lie on the PDS. The judge held that the sellers honestly did not know of the problems with the foundations, and therefore did not misrepresent anything on the PDS. Addressing the inspector's liability, the judge noted that the "...purpose of securing a residential home inspection is to provide to a lay purchaser expert advice about substantial deficiencies in the property..." This expert advice helps the buyer determine whether or not to proceed with the purchase. In addition, the court noted that "...persons who hold themselves out as professional know they invite reliance, and create a risk of harm if...their advice is wrong".

The court emphasized that the inspector not only missed the fact that there were significant problems with the foundation, but he in fact positively asserted that the foundation was fine. This turned out to be incorrect. The Purchaser reasonably relied on the inspector's expert advice, and suffered as a result of it. The Supreme Court ruled against the inspector and awarded damages emphasizing that real estate purchasers act reasonably when they rely on the advice of professionals, and those professionals are expected to provide advice that is reasonable in the circumstances.

This discussion of building inspectors' liability is intended only as a brief introduction to the subject.

Should you have any questions or concerns with respect to this or any other aspect of real estate law, please contact Mullin DeMeo, at lawyers@mdlawcorp.com, or (250) 477-3327.

**Thank you for your time,
Mullin DeMeo**

Thank you to Mullin DeMeo for the use of this material.

*******Please find enclosed our Home Security Check List*******

**Davis Realty Corporation
3306 Henderson Road, Victoria, BC V8P 5A7
Jack's Direct Line: 250.598.6200 Toll Free: 1.866.598.3571**



Home Security Checklist

BASIC RISK ASSESSMENT

Is the security in your home sufficient to frustrate a potential thief or increase their chances of being caught? The Home Security Checklist was developed to give you an indication of the level of security in your home.

Address: _____

Checklist Completed By: _____ Date: _____

EXTERIOR

- Are there clear views of all windows and doors?
 Yes No

The more private an area is, the more likely it is to attract the attention of a criminal. Trim trees and shrubs that block sight lines to your windows and doors, particularly basement windows.

- Yes No

- During the evening is there visible interior or exterior lighting that gives the impression that you are home, even if you're not?

- Yes No

Install outside lighting to eliminate dark areas around doors or windows. Use motion lights with a low intensity feature as an alternative to bright constant level lighting.

DOORS

- Is there a convenient way of clearly seeing who is at your door without opening it?
 Yes No

Every entrance door should have a convenient way of clearly seeing who is there without opening it. For most doors this will require the installation of a wide angle lens peephole or door scope. Chain locks should not be used as a security device as they can easily be broken. If you have a screen door, by leaving it locked you could open the main door so that you could still converse with any person at your door while still maintaining some security. A locked screen door also provides additional security to any door.

- Do all of your exterior doors have a deadbolt with at least a one-inch throw?
 Yes No

Criminals with tools easily defeat conventional key in the knob locks. Deadbolts should be installed on all exterior doors.

- Are the screws that secure your entry doors and the strike plates located on the door jamb opposite the lock at least 2 1/2 inches long?
 Yes No

Door kick break-ins to homes are becoming common. Most door installations use screws less than 1" in length. This results in a door that appears secure but is relatively weak and easily prone to being kicked in. To secure a door properly the screws should be at least 2 1/2 or 3 1/2 inches long, and the strike plate should have a minimum of four offset holes.

- Have you taken steps to reinforce any windows located in or next to doors?
 Yes No

Glass within 40 inches of a door lock can be broken and a criminal can reach inside to unlock the door. The security of windows at the sides of doors can be improved by adding a polycarbonate panel (available at home improvement centres).

SLIDING DOORS

If you have a sliding door, do you have screws in the top of the track to prevent the door from being lifted out when they are in the closed and locked position?

Yes No N/A

There is a 1" gap at the top of sliding doors, which allows them to be lifted in or out of their tracks. The addition of 3 flat headed wood screws in the upper track of the doors in the closed position will prevent criminals from lifting them out.

If you have a sliding door, do you have either a hockey stick in the bottom track or a security bar to prevent the door from opening?

Yes No N/A

The standard locking pin on sliding doors is usually cast metal, which is weak and easily broken. A snug fitting hockey stick or security bar should be added to the door to prevent it from being pried.

WINDOWS

Sliding

Do the sliding windows of your home have a:

- "pin" (removable nail like object drilled through the overlapping vertical frame at a downward angle),
- piece of wood in the track beside and above the window frame (flat head wood screws can be substituted for the latter) or
- secondary aftermarket locking device?

Yes No N/A

Most window locks are easily broken. Criminals target sliding windows because they are easy to jimmy open. To prevent quiet entry, add one or more of the security measures mentioned above. Be careful not to contact the glass if drilling through the window frame. Basement windows can also be protected using a piece of polycarbonate-a clear, rubberized plastic or bars. It is important that you can escape in the event of fire when using a barrier type countermeasure.

Double Hung

Do the double hung (moves up and down) windows of your home have a pin secondary aftermarket locking device?

Yes No N/A

The pin should be drilled on a downward angle through the top of the bottom frame & the bottom of the top frame. Be careful not to contact the glass when drilling a window frame.

Casement / Awning Style

Give yourself a point if you have good quality casement/awning style windows with two latches per window.

Yes No N/A

GARAGE DOORS

Do you always close and lock your garage door?

Yes No N/A

Thefts from garages are one of the most common yet easily prevented crimes. Keep garage doors closed and locked. Keep ladders in the garage.

VALUABLES

Do you limit your exposure to risk by storing valuables in the basement or keep them in a safety deposit box?

Yes No

Criminals know all the hiding spots on the first & second floor. The best place to put valuables is in a safety deposit box. Otherwise a good alternative is to hide valuables in a lock box in a general storage area of the basement. Criminals tend to spend a minimal amount of time there.

Have you marked all valuables with an engraver and posted Operation Identification stickers on your windows and doors to deter theft and assist in the recovery of goods in the event that they are lost or stolen?

Yes No N/A

Marked property is an effective deterrent against break and enters.

APARTMENT SECURITY

- Do you refer unknown persons seeking entrance to the manager?
() Yes () No () N/A
- Do you report suspicious activities to the manager or police?
() Yes () No () N/A
- Do you advise the manager of any travel plans and request apartment checks and mail pick-up?
() Yes () No () N/A
- If you are a single female do you list only first initials with your surname on mail boxes and entrance directories?
() Yes () No () N/A

NEIGHBOURS

- Do you know your neighbours across the street and on all three sides of you?
() Yes () No
- Are you involved in Block Watch?
() Yes () No

RESULTS

To see how you did on the Home Security Challenge, please add up the number of "Yes" answers and divide by 20 less the number of "N/A" answers.

- 100%.....Excellent!
- 90+%..... You're almost there.
- 80+%..... You have a little work left to do.
- 70+%..... Your home would benefit from further security improvements.
- 60+%.....Its time to address your security needs.
- 50+%.....Improve your security. Don't delay.
- 0-50%..... Your home is vulnerable---take action!

Your results reflect the level of security your home has in relation to the most common security weaknesses. Please review your security as all of the above changes to your home can in most cases, be done for less than \$100. The results are substantial for the amount of money invested in your home.

By starting or joining a Block Watch program you can actually SAVE money. Most insurance companies offer up to 15% in discounts to your premiums. To get more home safety information or to start or join a Block Watch program in your neighbourhood please contact:

The Saanich Police Block Watch Office
760 Vernon Avenue
Victoria, BC V8X 2W6
Tel: 250-475-4365
Fax: 250-475-4398
E-mail: blockwatch@saanichpolice.ca
www.saanichpolice.ca