

Ruling of the Minister  
 Ministry of Municipal Affairs  
 and Housing  
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Ministère des Affaires municipales  
 et du Logement  
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<b>RULING 12-12-282 (13540-R)</b>	
<b>Minister's Ruling File Number</b>	<b>MR 11-23</b>
<b>Ruling Issued</b>	<b>July 27, 2012</b>
<b>Ruling Revised</b>	<b>N/A</b>
<b>Master Format</b>	<b>07 28 02</b>
<b>Corresponding CCMC Evaluation Report</b>	<b>CCMC 13540-R issued on March 17, 2011, and revised on August 11, 2011</b>

Pursuant to Section 29(1)(a) of the *Building Code Act, 1992*, the Director of the Building and Development Branch, as delegate of the Minister of Municipal Affairs and Housing (the "Minister"), hereby approves the use of **SURE CAVITY™** subject to the following terms and conditions:

**1. MANUFACTURER**

**2. MANUFACTURING FACILITIES**

	Masonry Technology Inc. (MTI) P.O. Box 214 24235 Electric Street Cresco, IA 52136 U.S.A.		Cresco, IA, U.S.A.
Tel:	1 800 879-3348		
Fax:	1 563 547-1133		
E-mail:	<a href="mailto:info@mtidry.com">info@mtidry.com</a>		
Web:	<a href="http://www.mtidry.com">www.mtidry.com</a>		

**3. SPECIFIC CONDITIONS**

- (a) The use of **SURE CAVITY™** is approved for use as a capillary break and drainage medium behind claddings in respect of the requirements of Section 9.25., Subsections 9.27.2. and 9.27.3., and Article 9.27.3.1. of Division B of Ontario's 2006 Building Code, Ontario Regulation 350/06 (the "Building Code");
- (b) **SURE CAVITY™** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this Ruling, with the Building Code;

- (c) A copy of this Ruling and the Canadian Construction Materials Centre Evaluation Report No. 13540-R issued on March 17, 2011, and revised on August 11, 2011 (the “CCMC Evaluation Report”) shall be submitted in connection with each application for a building permit;
- (d) The use of the **SURE CAVITY™** must be in accordance with the CCMC Evaluation Report; provided that the references in that report to the model National Building Code of Canada, 2005 including those listed in column 1 below, shall be deemed references to Ontario’s 2006 Building Code listed in column 2 below, as described in the following table;

model National 2005 Building Code References	Ontario’s 2006 Building Code References
Division A, 1.2.1.1.(1)(b) Division B, 9.23.16. Division B, 9.25. Division B, 9.27.2. Division B, 9.27.3. Division B, 9.27.3.1. Division B, 9.27.3.2. Division B, 9.27.3.8. Division B, 9.28.4.4. NBC 2005	Division A, 1.2.1.1.(1)(b) Division B, 9.23.16. Division B, 9.25. Division B, 9.27.2. Division B, 9.27.3. Division B, 9.27.3.1. Division B, 9.27.3.2. Division B, 9.27.3.8. Division B, 9.28.4.4. Ontario’s 2006 Building Code
column 1	column 2

- (e) This Ruling is valid only for products manufactured at the facilities outlined in Section 2. (Manufacturing Facilities) of this Ruling.

**4. GENERAL CONDITIONS**

- (a) The Manufacturer specified in Section 1 shall notify the Ministry of Municipal Affairs and Housing without delay of any change made to the CCMC Evaluation Report. A change to the CCMC Evaluation Report includes the CCMC Evaluation Report having expired or having been revised, re-evaluated, amended, rendered void, or withdrawn.
- (b) The Minister or his/her delegate may amend or revoke this Ruling if:
  - (i) the Manufacturer specified in Section 1 fails to notify the Ministry of any change made to the CCMC Evaluation Report, as required by Section 4.(a);
  - (ii) the Evaluation Report is revised, re-evaluated, or amended by the CCMC;

- (iii) the Evaluation Report expires in accordance with the CCMC's General Conditions for Evaluation Reports;
- (iv) the Evaluation Report is rendered void in accordance with the CCMC's General Conditions for Evaluation Reports;
- (v) the Evaluation Report is withdrawn;
- (vi) the Minister or his/her delegate determines that the use of the material, system or building design authorized by this Ruling:
  - 1) will not comply with the *Building Code Act, 1992* or any relevant law as they may be amended or re-enacted from time to time;
  - 2) provides an unsatisfactory level of performance, in situ; or
  - 3) may pose a danger to health or safety; or
- (vii) any provision of the Building Code relevant to this Ruling is amended or remade.

Dated at Toronto this 27<sup>th</sup> day of July 2012,

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Brenda Lewis  
Director, Building and Development Branch

The official version of this Ruling of the Minister of Municipal Affairs and Housing is the signed original in the Ministry's file. In the event of a question about content, the original in the office file takes precedence.