

Ruling of the Minister  
Ministry of Municipal Affairs  
and Housing  
777 Bay Street, 2<sup>nd</sup> Floor  
Toronto, ON, M5G 2E5  
T: 416 585-4234  
F: 416 585-7531  
W: [www.ontario.ca/buildingcode](http://www.ontario.ca/buildingcode)

Ministère des Affaires municipales  
et du Logement  
777, rue Bay, 2<sup>e</sup> étage  
Toronto, ON, M5G 2E5  
T: 416 585-4234  
F: 416 585-7531  
W: [www.ontario.ca/buildingcode](http://www.ontario.ca/buildingcode)



<b>RULING 12-10-280 (13550-R)</b>	
<b>Minister's Ruling File Number</b>	<b>MR 12-13</b>
<b>Ruling Issued</b>	<b>July 5, 2012</b>
<b>Ruling Revised</b>	<b>N/A</b>
<b>Master Format</b>	<b>09 28 13.04</b>
<b>Corresponding CCMC Evaluation Report</b>	<b>CCMC 13550-R issued on February 23, 2012</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 **SMARTBOARD CEMENT BOARD PANEL** subject to the following terms and conditions:

### 1. MANUFACTURER

Smartboard Building Products Inc.  
2820 Fourteenth Avenue, Suite 101  
Markham (Ontario) Canada  
L3R 0S9

Tel: 905 948-5190

### 2. MANUFACTURING FACILITIES

Concord (Ontario) Ontario

### 3. SPECIFIC CONDITIONS

- (a) The use of **SMARTBOARD CEMENT BOARD PANEL** is approved for use as a moisture resistant backing and an exterior backerboard for cladding in respect of the requirements of Articles 9.23.16.2. and 9.29.10.4. of Division B, of Ontario's 2006 Building Code, Ontario Regulation 350/06 (the "Building Code");
- (b) **SMARTBOARD CEMENT BOARD PANEL** 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. 13550-R issued on February 23, 2012 (the "CCMC Evaluation Report") shall be submitted in connection with each application for a building permit;
- (d) The use of the **SMARTBOARD CEMENT BOARD PANEL** must be in accordance with the CCMC Evaluation Report; provided that the references in that report to the model National

Building Code of Canada, 2010 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; and

model National 2010 Building Code References	Ontario's 2006 Building Code References
Division A, 1.2.1.1.(1)(a) Division A, 1.2.1.1.(1)(b) Division B, 9.10.16. Division B, 9.23.13. Division B, 9.23.17.2. Division B, 9.27.3. Division B, 9.29.10.4. NBC 2010	Division A, 1.2.1.1.(1)(a) Division A, 1.2.1.1.(1)(b) Division B, 9.10.16. Division B, 9.23.10.2. Division B, 9.23.16.2. Division B, 9.27.3. Division B, 9.29.10.4. 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 5<sup>th</sup> day of July, 2012,

---

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.