



**Pool & Hot Tub Council of Canada**  
**Conseil canadien des piscines et spas**

## **Complaint Review Process**

As a trade Council the Pool & Hot Tub Council of Canada's (PHTCC) function is to improve and advance the industry as a whole and to ensure that its members uphold the Code of Ethics of membership. When called upon, the Council acts as a neutral and unbiased mediator in the Complaint Review Process. A process that is meant to facilitate communication and encourage both parties to engage in a respectful dialogue that will lead to a successful resolution.

It should be noted that the PHTCC has no formal authority to deal with consumer complaints. Complaint issues are often very complex, involving different perspectives on work quality, contractual obligations, miscommunications and a host of other factors. This makes it very difficult for the Council to enter into disputes at later stages. Additionally, we have no involvement in our members' operations. Our only authority is the power to suspend or revoke membership.

Our involvement is offered solely as a public courtesy. **Here are some tips on submitting a complaint for review and how the process works:**

### **Know your rights**

The most important step towards successfully resolving a problem is to know and understand what you are entitled to under the Contract, Agreement and the Law

Knowing and understanding your rights and entitlements under a Service Agreement, Quotation, Product Purchase or Contract gives you the ability to properly outline your complaint.

### **From the beginning**

- Keep all written records of events. This includes emails, notes and other correspondence of when you informed the other party of the problem, the date and time, the person you spoke with and what was said or agreed to
- Keep a copy of any documents in chronological order and in one place for ease of access
- Take photographs or a video if you feel this may assist you with your complaint.

### **Speak to the contracted party immediately**

Once you discover or are notified of a problem, you should immediately inform the Retail Outlet, Supplier, Service Provider or Swimming Pool Builder, either in person or with a phone call and/or email.

### **Make sure you are sufficiently able to:**

- Explain the problem or concern
- When it developed or when you first noticed it
- Ask what action they are likely to take
- Ask what the time frame will be for them to inspect and/or rectify the problem

### **Write a letter or email**

Write directly to the Other Party and plainly state:

- What the problem is with the product, service or the construction
- When it first occurred, or was noticed

- Who you have informed to have the problem resolved (phone calls, emails or visits)
- What you believe are your rights and expectations under the Contract or Agreement
- What you believe needs to be done to resolve the complaint or concern
- Request a time frame for a response and how they are likely to fix the problem(s)

**Some helpful tips on letter writing:**

- Keep the letter or email short
- Deal only with the facts
- Leave the emotion out of your letter
- Attach a copy of any relevant documents or photos you send or receive

**How the Process Works:**

- The Complaint procedure is for consumers who have contracted or dealt with PHTCC members only
- Complaints are only accepted in writing. Please send written complaints to: Pool & Hot Tub Council of Canada, 5775 Atlantic Dr., Unit 17, Mississauga, ON L4W 4P3
- PHTCC forwards consumer correspondence to the member company encouraging both parties to resolve the matter. We also forward to our Complaints Review Committee.
- All responses are shared with appropriate stakeholders
- If disputes cannot be resolved, all correspondence is kept on file. Three unresolved disputes in a year for a member will trigger a membership review
- If it is determined that the member has breached the Code of Ethics, it will be noted in their file and membership will be put on probationary status. If a second breach occurs such membership will be immediately suspended.
- If the dispute is resolved, both parties will sign off the action and the file will be closed
- Please note, no complaint will be accepted for review if legal proceedings have been initiated or if contracted payment obligations are not current

Agreement by both parties to engage toward a successful resolution does not prevent either party, at any stage, from taking other actions against the other party to resolve the matter. However, upon being advised or becoming aware of any legal or other actions being commenced (or being considered) by either party - PHTCC will immediately withdraw from any further participation.

The Council further reserves the right to withdraw from any further involvement in disputes if:

- Either party becomes overly confrontational, aggressive, disrespectful or otherwise unreasonable or uncooperative to anyone involved in the dispute resolution process.
- The PHTCC determines the dispute is beyond the mandate and function of the Complaint Review Committee, or not directly related to the Pool & Spa products and services originally at issue
- The customer engages other suppliers, beyond those listed in the dispute, in additional work on the areas under dispute, thereby complicating efforts of the named member company attempting to resolve the complaint.