

HOUSING WARRANTY SCHEME IN JAPAN PART1

JANUARY 2026

The Foundation for Housing Warranty

Housing Warranty Scheme in Japan

The purpose of this series of notes is to help people who are interested in the housing warranty system in Japan. We hope this will contribute to a mutual understanding of the housing warranty system and housing policies with people outside of Japan. The information described in this booklet is as of September 30, 2025.

Fiscal Year : One year from April to March

Housing business providers include home builders, suppliers or licensed real estate agents

Abbreviation	
AEDWL	Act for Execution of Defect Warranty Liability under HQAA
CHORD	The Center for Housing Renovation and Dispute Settlement Support
HQAA	Housing Quality Assurance Act
HQAS	Housing Quality Assurance System
JPA	Japan Prefabricated Construction Suppliers and Manufacturers Association
LSCF	Large-scale Loss Compensation Fund
MC	Ministry of Construction
MLIT	Ministry of Land, Infrastructure, and Transport and Tourism
OWH	Organization for Housing Warranty
SDS	Security Deposit Scheme

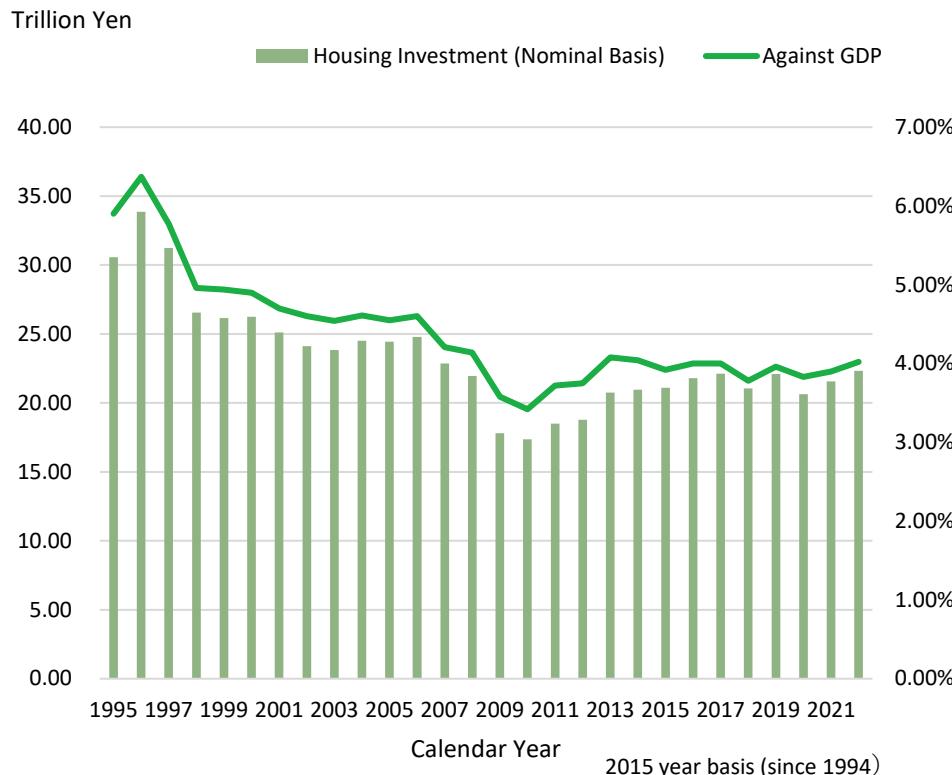
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1-1. Background to the Housing Warranty System

- From 1955 to 1973, housing sector investment increased more than five-fold, and its share of GDP stayed in the range of 6 - 9% (vs 3 - 4% at present).
- During these years, housing demand was increasing due to a shortage of housing, leading to numerous companies entering the prefabricated housing market.
- In 1975, the Housing Bureau of the Ministry of Construction (MC; now the Ministry of Land, Infrastructure and Transport and Tourism, or MLIT), formed the Housing Warranty System Study Committee.
- In 1976, in light of the rapid expansion of suburban residential areas in major cities and structural changes within the housing industry, the MC advised adding a two-year warranty system for the prefabricated housing industry.

Diagram 1 Housing investment/Share of GDP



Structural changes:

- Past housing supply was supported by medium- and small-sized companies, which normally would each construct about five houses per year.
- During the rapid economic growth period, people moving to urban areas were faced with difficulties in finding qualified builders as well as houses at reasonable prices.
- To meet this growing demand, major prefabricated housing companies rapidly expanded their business.

1-2. Background to the Housing Warranty System

- The MC introduced the Housing Quality Assurance System (HQAS) in 1980 to improve housing performance and consumer protections, and at the same time, to encourage qualified housing suppliers. The voluntary Registration Office for Warranted Houses was established then in 1982, it was re-organized as the Registration Organization for Warranted Houses (ROWH), the sole operator for the HQAS.
- ROWH was renamed the Organization for Housing Warranty (OHW) in 1999.
- HQAS was mainly used by medium and small-sized builders.

Background to private company warranty system:

- The Japan Prefabricated Construction Suppliers and Manufacturers Association (JPA) was formed by several prefabricated housing companies in 1963.
- The JPA set up its own customer service code, which included the following warranties:
 - 10-year warranty for structural parts and water ingress
 - 2-year warranty for equipment and finishing
 - 5-year warranty for termite damage.
- JPA members also set up their own customer service codes. This was followed by major builders and contractors introducing their own after-sale services, including warranties.
- These led in turn to the 2007 establishment of the Security Deposit Scheme (SDS), based on the Act for Execution of Defect Warranty Liability under the HQAA (AEDWL).
- The AEDWL came into full force in October 2008.
- The HQAS ceased accepting new contracts in June 2008, and was succeeded by Defect Liability Insurance (DLI).
- Currently, around 50% of newly-built houses are covered by SDS and DLI, but only 1% of contractors are using SDS.

2. The Housing Quality Assurance Act (HQAA)

- The Housing Quality Assurance Act (HQAA) was approved in 1999 and became effective in April 2000. Its major points are as follows:
 - (1) Establishment of a housing performance indication system (voluntary)
This allows private organizations to conduct evaluations through document review and on-site investigations as a way to indicate the performance, including quake resistance and energy efficiency, of both new and existing housing.
 - (2) Establishment of a designated housing dispute resolution body.
The Center for Housing Renovation and Dispute Settlement Support (CHORD) became the designated dispute resolution body, with the aim of providing a range of support for housing-related issues arising between the home builder and the client regarding contracts as well as performance evaluation reports after the completion of construction.
 - (3) Introduction of the mandatory 10-year defect guarantee liability for the core structure and prevention of water ingress
- Enhancement of HQAA
Two funds were set up with government financial assistance.
 - 1) Defect Warranty Financial Assistance Fund:
This fund enables small- and medium-sized home builder companies (paid-up capital of less than 300 million yen, or fewer than 300 full-time employees) or individuals to get a 15% discount off HQAA registration fees.
 - 2) Completion Warranty Fund (as of 1999):
This fund enables consumers to complete their house with a limited amount of expense if their small- and medium-sized home builder company goes bankrupt.
The fund was applied to 1,500 cases during the period from 2000 to 2007.

3. Act for Execution of Defect Warranty Liability under HQAA (AEDWL)

Background to enactment of AEDWL:

- In November 2005, a Japanese first-class architect was convicted of falsifying earthquake resistance data for 71 buildings (including residential ones) out of the 208 he designed. This resulted in rebuilding or large-scale reconstruction of these apartments.
- In this situation, the HQAA states that the company which sold the apartments is liable under warranty.
- As a sizable number of apartment units were affected by this incident, the sales company filed for bankruptcy. Consequently, the owners of these apartments had to take out additional loans to buy new units in addition to those built based on the falsified structural statements.

Lesson from this fraud

While sales companies have the obligation to warranty defects, consumers are not protected without the appropriate financial resources.

The AEDWL was approved in December 2007, and became effective as of October 1, 2009.

The Act's main points are as follows:

(1) Securing financial resources:

The Act obligates housing business providers (home builders, suppliers, or licensed real estate agents) to participate in deposit schemes or 10-year defect liability insurance (including the right of purchasers and other parties to demand repairs).

(2) Appointment of insurance corporations: insurance corporations underwriting new house defect liability insurance must be designated by the MLIT.

(3) Reinforcement of dispute resolution system: The MLIT designated the Center for Housing Renovation and Dispute Settlement Support (CHORD) as its specified dispute resolution body. CHORD also provides assistance for solving disputes between homebuyers/clients and sellers/home builders, etc., through its Housing Dispute Examination Committee.

4-1. Securing financial resources under AEDWL

The AEDWL requires any housing business providers who have delivered or sold newly-built houses over the past 10 years to submit their funding resources status (Deposit System and Housing Defect Liability Insurance) as of March 31 every year to the MLIT.

The housing business providers who are obliged to secure financial resources based on the AEDWL are as follows:

These schemes allow the buyer of a new house to claim reimbursement of repair costs and other necessary expenses through the Security Deposit System or Housing Defect Liability Insurance Scheme if the home builder, supplier or licensed real estate agent goes bankrupt, or for other reasons.

(1) Security Deposit System

- Housing business providers who have delivered or sold newly-built houses must place deposits or designated types of securities in a depository such as a local Legal Affairs Bureau.
- The amount of the deposit is determined based on the number of units delivered or sold over the past 10 years on the calculation date (March 31 of each year). Any deposits put in the depository cannot be refunded for a period of 10 years.

(2) Housing Defect Liability Insurance Scheme

- Home builders, suppliers, and sellers who are licensed real estate agents provide homebuyers with the means to claim reimbursement for repair costs and other necessary expenses through insurance contracts.
- Homebuyers can make direct claims for insurance money from the insurance company if the home builder, supplier, or real estate agent goes bankrupt, or for other reasons.

Building components covered by for Defect Liability Insurance are the same as stipulated in the HQAA, and are as follows:

Major Structural Elements	Foundations, foundation piles, walls, columns, roof trusses, load-bearing walls, diagonal members (braces, firestop materials, etc.), floors, sills, horizontal members (beams, girders, etc.) that support dead weight or load weight, snow, wind pressure, soil pressure, water pressure, earthquake or other impacts to or of the houses.
Water Ingress	Doors, frames and other fittings installed in the roof, exterior walls or openings of a house; drainage pipes installed in the house to remove rainwater installed in the inside the roof, the exterior walls of the house, or inside the house.

4-2-1. Securing financial resources under AEDWL(1)

1) New Housing Defect Liability Insurance (Type I) - Mandatory

If the buyer of a newly built house is an individual or a corporation which does not have a real estate agency license, the seller must take out Type I insurance.

Newly built houses based on AEDWL are defined as follows:

- The date of sale of the newly built house should be within one year from the completion date, and the house has never been used for residential purposes.
- Both newly built detached houses and non-detached houses (apartments, residence for lease) are eligible.

2) New Housing Defect Liability Insurance (Type II) - Voluntary

If the buyer is a licensed real estate agent (regardless of whether they are an individual or a corporation), the seller can take out insurance voluntarily.

Type II, newly built houses are defined as follows:

- (a) The date of sale of the newly built house should be within two years from the completion date.
- (b) Even if the house qualifies as a “newly built house” (the date of sale of the newly built house is within one year from the date of completion) under AEDWL, if the buyer or seller’s situation falls into the following category, both parties can take out Type II insurance.

- The house was built by a house builder who does not have a construction business license#2
- The house was sold by an individual who does not have a real estate agency license
- The house builder obtained building work from a licensed real estate agent
- A licensed real estate agent has sold the newly built house to another licensed real estate agent

4-2-2. Securing financial resources under AEDWL

Table 1 New House Defect Liability Insurance Mandatory vs. Voluntary

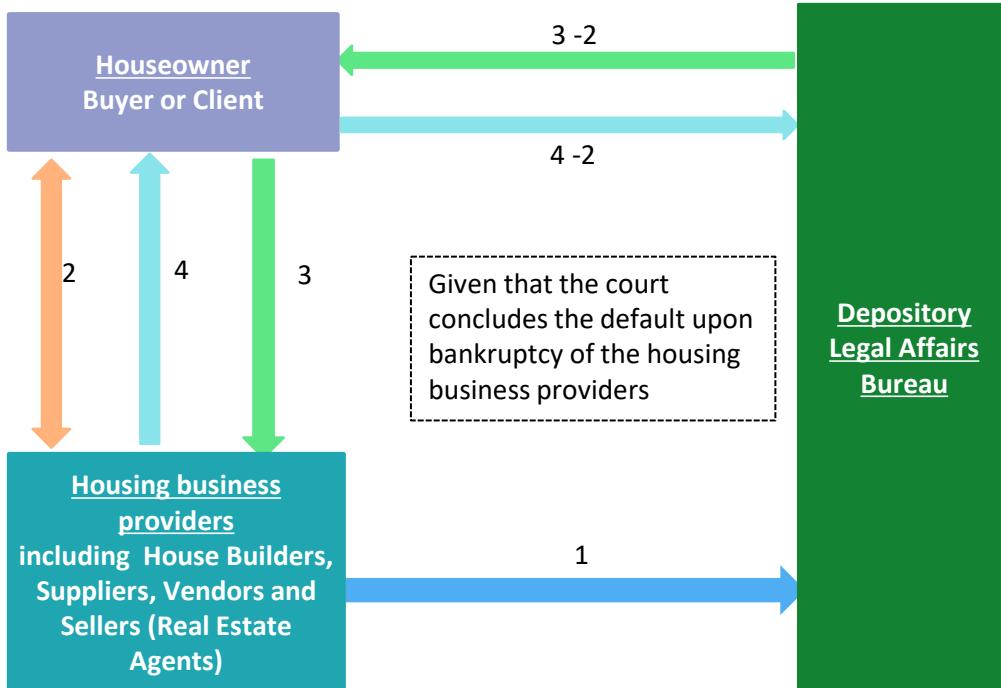
Contract	Seller	Buyer	Securing Financial Resources required? (Y/N)	Mandatory or Voluntary	Insurance	Relevant Clause
Building contracts	Construction Company (Licensed)	Individual or Corporation (no real estate agency license)	Yes	Mandatory	New Housing Defect Liability Insurance (Type I)	Art 19-1 of AEDWL
		Individual or Corporation (with real estate agency license)	No	Voluntary	New Housing Defect Liability Insurance (Type II)	Art 19-1 of AEDWL
	Construction company #2 or individual	License is not relevant	No	Voluntary	New Housing Defect Liability Insurance (Type II)	Art 19-1 of AEDWL
Purchase and sale agreements	Licensed real estate agent	Individual or Corporation (no real estate agency license)	Yes	Mandatory	New Housing Defect Liability Insurance (Type I)	Art 19-1 of AEDWL
		Individual or Corporation (with real estate agency license)	No	Voluntary	New Housing Defect Liability Insurance (Type II)	Art 19-1 of AEDWL
	Construction company #2 or individual	License is not relevant	No	Voluntary	New Housing Defect Liability Insurance (Type II)	Art 19-1 of AEDWL

#2 construction companies which only undertake simple construction work do not require a business license as stipulated in Article 3 of Construction Business Act. “Simple construction work” is defined including :

1. Contract amount per work is less than yen 15million, or
2. The building is a wooden house with a total floor space less than 150 m²

4-3. Securing financial resources under AEDWL

Diagram 2 Security Deposit Scheme



- 1 Places security deposit in Depository
- 2 Building contracts /Sale and purchase agreements
- 3 Requests repairs / 3-2 Conducts repair work
- 4 Requests Refund/4 -2 Refund

Table 2 Security Deposit Calculation

Warranty amount = A x B + C (Note 1 & 2)		
Number of newly built houses per year (1,000) - A	Amount to be multiplied (Yen, 1,000) - B	Addition (Yen, 1,000) - C
Less than 1	20000	0
1 < units \leq 10	2000	18000
10 < units \leq 50	8500	30000
100 < units \leq 500	600	40000
500 < units \leq 1,000	100	90000
1,000 < units \leq 5,000	80	100000
1,000 < units \leq 5,000	40	140000
5,000 < units \leq 10,000	20	240000
10,000 < units \leq 20,000	19	250000
20,000 < units \leq 30,000	18	270000
30,000 < units \leq 40,000	17	300000
40,000 < units \leq 50,000	16	340000
50,000 < units \leq 100,000	15	390000
100,000 < units \leq 200,000	14	490000
200,000 < units \leq 300,000	13	690000
units < 300,000	12	990000

Note related to Table 3

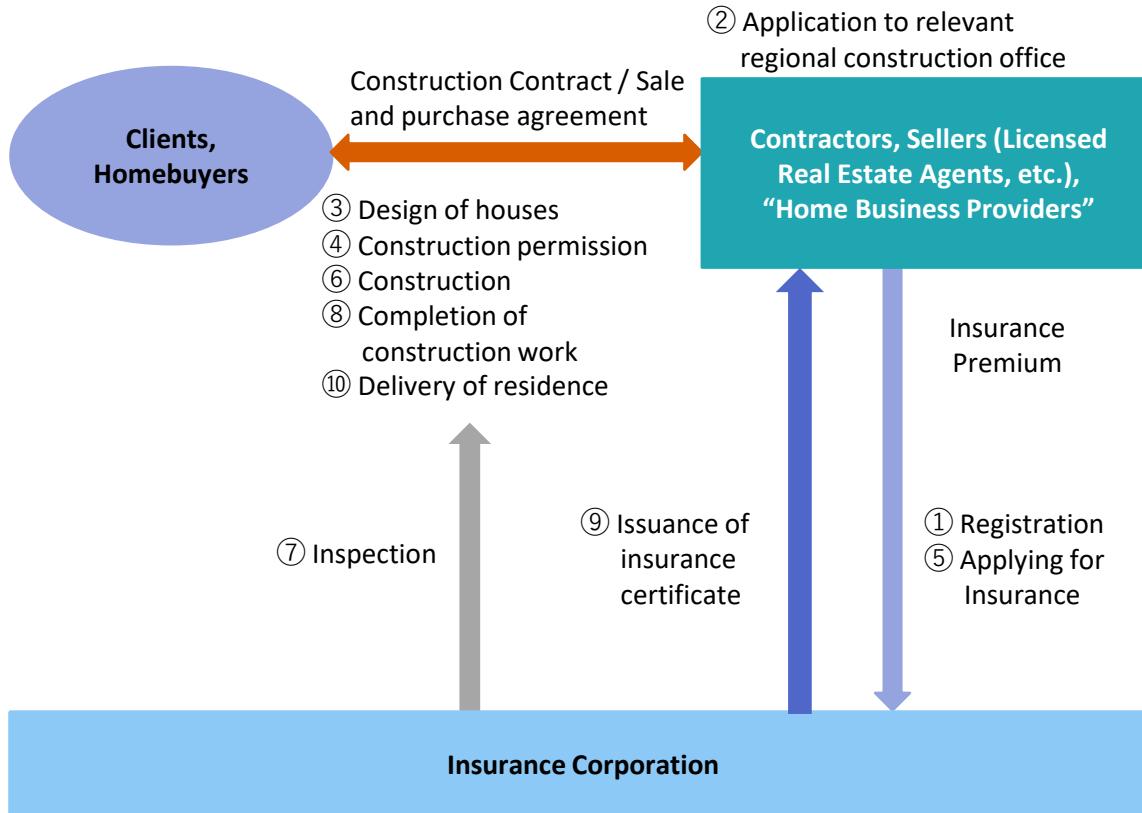
(Note 1): A security deposit is required for all newly built houses except houses covered by New House Defect Liability Insurance (Type I) or newly built houses which were delivered to clients before October 1, 2009.

(Note 2): In the event that the calculated amount exceeds Yen 12billion, the security deposit is limited at Yen 12billion.

4-4. Securing financial resources under AEDWL

(1) The process of applying for Defect Liability Insurance

Diagram 3-1 New Housing Defect Liability Insurance (Type I) Scheme



Flow of New House Defect Liabilities Insurance

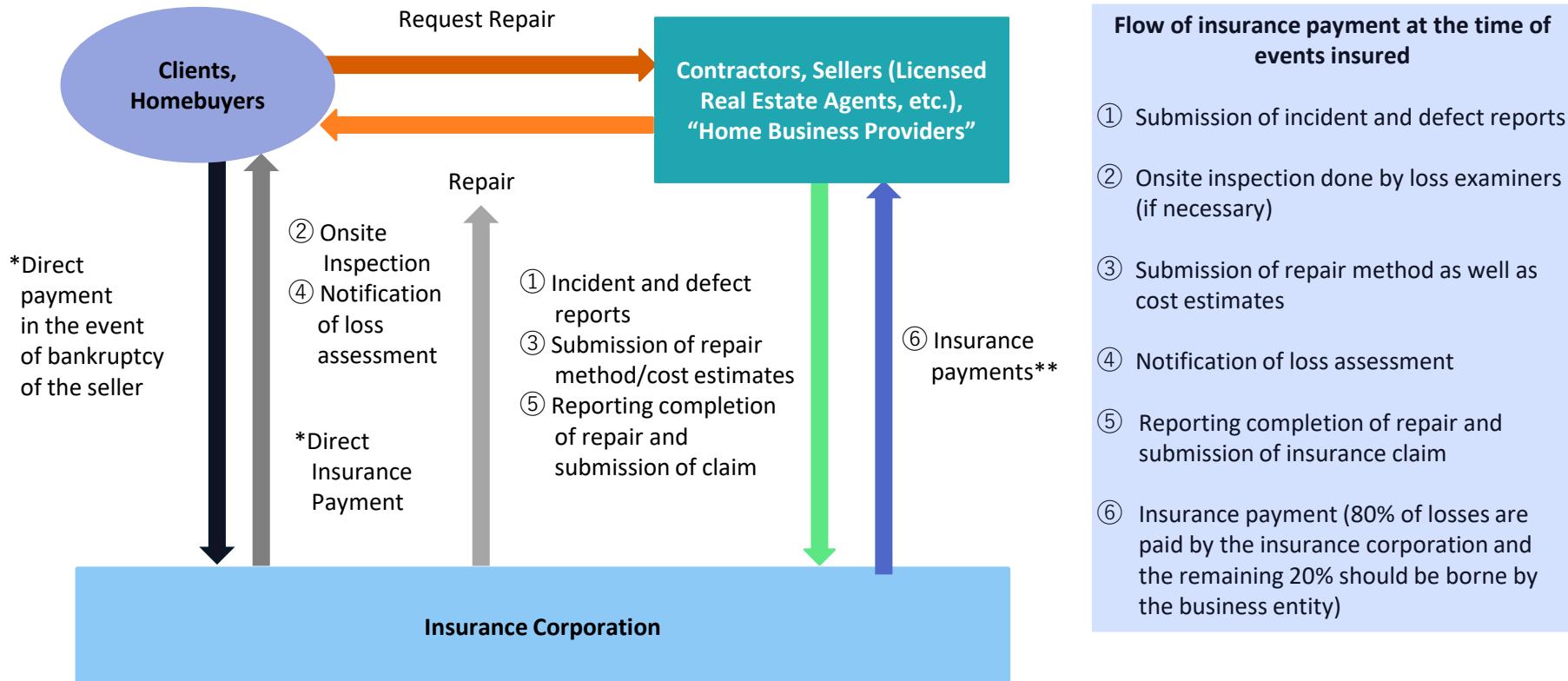
- ① Housing business providers' registration with Insurance Corporation
- ② Housing business providers' application to relevant regional construction office
- ③ Design of houses
- ④ Construction permission
- ⑤ Applying for insurance
- ⑥ Commencement of construction - housing business providers must follow the Unified Design and Building Standard prepared by insurance corporations
- ⑦ Onsite inspections
- ⑧ Completion of construction work
- ⑨ Issuance of insurance certificate
- ⑩ Delivery of residence

- Insurance premium varies by insurance corporation. Insurance premium includes pure premium, expense loading, and inspection expense.
- Total insurance payments per fiscal year to all housing business providers is capped at yen 12.5billion for both detached houses and non-detached houses.
- Total insurance payments of insurance contracts which were signed during the same fiscal year is capped at yen 12.5billion.
- There are five insurance corporations that provide Defect Liability Insurance at present.

4-5. Securing financial resources under AEDWL

(2) The insurance claim process in the event of occurrence of defects

Diagram 3-2 New Housing Defect Liability Insurance (Type I) Scheme



*Direct claim from clients or buyer: In the event that sellers fall into bankruptcy or other situations, etc., clients and homebuyers can make a claim to insurance corporations.

** Insurance payments include 1) repair and compensation for damage, 2) legal expense, 3) expense of preserving the right to claim compensation, 4) investigation expense, and 5) temporary accommodation or moving costs.

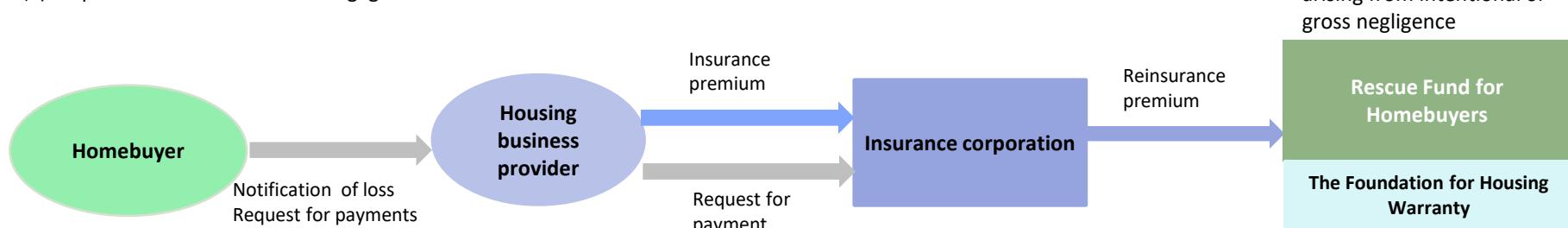
4-6. Securing financial resources under AEDWL

Reinsurance against losses arising from intentional or gross negligence

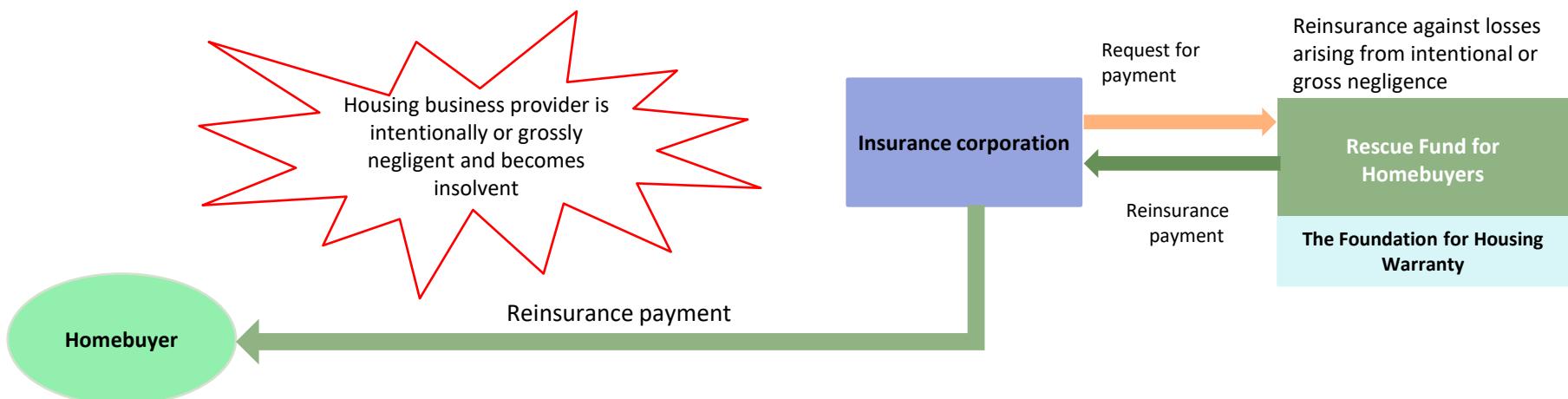
Damage caused by the intentional or gross negligence of housing business providers is in principle exempt from the liability to prevent moral hazard, and the housing business provider takes responsibility. However, if housing business providers were deemed completely exempt from liability even in the event of bankruptcy, homebuyers (consumers) would not receive any compensation. Therefore, to protect consumers in the event that a housing business provider is intentionally or grossly negligent and also becomes insolvent (including when they do not make payments for extended periods), the Rescue Fund for Homebuyers requires insurance corporations to take out reinsurance against losses arising from this intentional or gross negligence.

Diagram 3-3 Reinsurance against losses arising from intentional or gross negligence

(1) Steps in Intentional or Gross Negligence Loss Insurance when a defect occurs



(2) Steps following confirmation of housing business provider's intentional or gross negligence and insolvencies



5. Various types of insurance payments

The insurance money include the following compensation.

1) Repair and compensation for damage

The expenses or compensation paid by the housing provider, but limited to the direct expenses required for actual repair work, are as follows:

- i) Materials, labour and other direct expenses
- ii) The housing delivered as a replacement of the insured houses
- iii) Amounts or compensation required to the home purchaser due to a reduction or contract cancellation
- iv) Compensation for damages
- v) Expense incurred by the duty to restore the property to its original state

2) Legal expense

Expenses incurred by housing businesses for litigation, court settlements, mediation, arbitration and out-of-court settlements to resolve liability for defects

3) Expense of preserving the right to claim compensation

In cases where a housing provider has a right to claim damages or other compensation from a third party, the costs incurred in taking the necessary actions to preserve or exercise that right.

4) Investigation expense

In case repair/rectification are required the cost of the investigation required to determine the following:

- i) the extent of the repairs required
- ii) the method of repair
- iii) the cost of the repairs (excluding the cost of investigating the cause of defects)

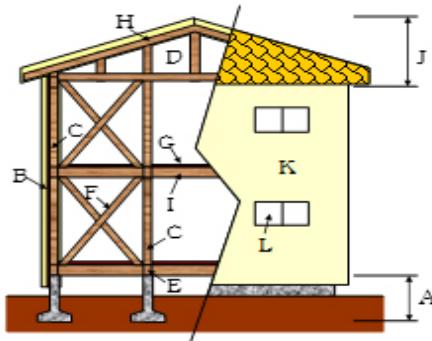
5) Temporary accommodation or moving costs

Accommodation expenses, housing rental expenses, and moving expense incurred by homebuyers who were forced to move during the repair.

6-1. Inspection

It is mandatory for housing business providers to pass an inspection to unroll in insurance.

Diagram 4-1 A detached house of wooden structure (post & beam traditional structure)



[Principal structural parts]

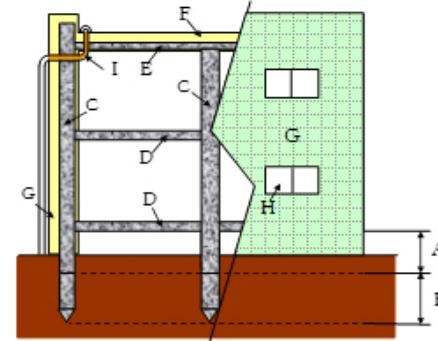
Foundations	A	Diagonal Members	F
Walls	B	Floor Slabs	G
Columns	C	Roof Slabs	H
Roof Trusses	D	Horizontal Framing Members	I
Sills	E		

[Parts to prevent rainwater leakage]

Roofs	J	Exterior Walls	K
Openings	L		

Area of Inspection	
Outside	Inside
Ground [Structure]	Roof Truss [Structure]
Foundations [Structure]	Load-bearing walls [Structure]
External walls [Water Ingress]	Columns • Horizontal Framing Members [Structure]
Roofs [Water Ingress]	Floor [Structure]
Balcony [Water Ingress]	Sills • Floor framing [Structure]

Diagram 4-2 An apartment house of reinforced concrete structure (wall type structure)



[Principal structural parts]

Foundations	A	Roofs	F
Foundations Piles	B	Exterior Walls	G
Walls	C	Openings	H
Floor Slabs	D	Drainage Pipes	I
Roof Slabs	E		

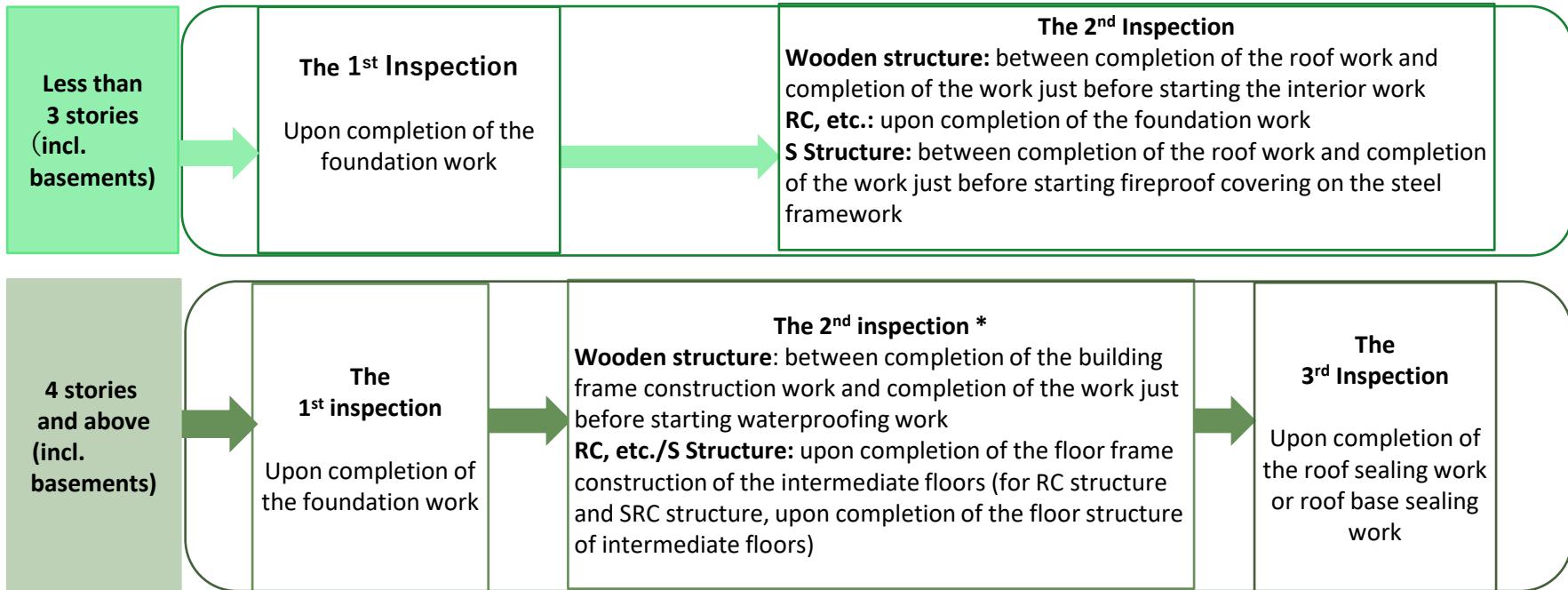
[Parts to prevent rainwater leakage]

Area of Inspection	
Common Area	Exclusive elements
Piles • Ground [Structure]	Walls [Structure]
Foundations [Structure]	Columns • Beams [Structure]
External wall • ceiling [Water Ingress]	Floors [Structure]
Roofs [Structure]	Pre-casted [Structure]
Flat roofs • Roof Balcony [Structure]	
Concrete compressive strength • Bar arrangement inspections [Structure]	

On-sight inspection is necessary because quality of newly built houses varies depending on type, builders, etc. unlike other industrial products.

6-2. Inspection

Diagram 5 : Inspection at the timing of underwriting



Source: Study Committee of the Housing Defect Assurance Regulation, The Housing Quality Assurance Act Q&A

* Depending on the number of floors, inspection may need to be conducted every 7 floors, such as the 10th floor and 17th floor.

* RC, etc. in the above includes SC, SRC, and reinforced concrete block structures.

- For houses less than three stories, onsite inspections are conducted twice.
- For houses more than 4 stories, the number of inspections is determined based on the number of floors.
- If the inspector or Insurance Corporation informs the housing business provider that the result is “failed”, the housing business provider needs to know the reason and rectify problems that cause failing the inspection. If the house is confirmed as a “failed” house, the housing business provider cannot deliver the house to the client because there is no defect liability insurance attached. This would cause financial issues for the housing business provider. If design and construction methods are not common or not widely applied, the housing business providers are expected to consult with Insurance Corporations in terms of building methods and details of inspection in advance.

7-1. Overview of Housing Defect Liability Insurance

The Housing Defect Liability Insurance system is run by insurance corporations, and their businesses are regulated by rules and regulations based on AEDWL.

1. Rules related to the business of insurance corporations

(1) The business of insurance corporations is prescribed in the AEDWL and the Ordinance for Enforcement of the AEDWL.

- The Minister of Land, Infrastructure, Transport and Tourism must authorize the appointment or dismissal of directors, business plans, and each business year's budget.
- The insurance corporation must submit business reports and income and expenditure statements for every business year to the Minister of Land, Infrastructure, Transport and Tourism.
- The insurance corporation must establish the provision methods for the valuation reserve and contingencies reserve, and the methodology of asset management as prescribed in the Ordinance for Enforcement of the AEDWL.
- The Minister of Land, Infrastructure, Transport and Tourism may order supervision if deemed necessary.
- The Minister of Land, Infrastructure, Transport and Tourism may have relevant officers enter the business offices of insurance corporations and monitor their business on a quarterly basis.

(2) In the event that the insurance corporation becomes bankrupt, the following actions must be taken:

- Upon submission by the insurance corporation of an application for discontinuation of business, the Minister of Land, Infrastructure, Transport and Tourism may authorize said discontinuation based on the provisions of Article 29.
- In the event that the Minister of Land, Infrastructure, Transport and Tourism finds that the insurance corporation has not conducted business properly and fairly, the Minister may order the cancelation of its designation, or the transfer of its contracts in whole or in part during a specified period of time based on the provisions of Article 30.
- In the event that an insurance corporation's designation is revoked, the Minister of Land, Infrastructure, Transport and Tourism may authorize the transfer of all contracts to another designated insurance corporation based on the provisions of Article 31.

2. Insurance corporations

- Currently, there are five insurance corporations:
Organization for Housing Warranty Ltd., JIO Corporation, Houseplus Co., Ltd., J-Anshin, House G-men Co., Ltd.
- These five insurance corporations have formed the Association of Housing Warranty Insurers, which provides training and education for inspectors.
- The Foundation for Housing Warranty provides reinsurance against losses arising from intentional or gross negligence.

7-2. Overview of Housing Defect Liability Insurance

2. The Housing Warranty Fund provides the following as a safety net in the event of extraordinary risks:

(1) Subsidy for small and medium-sized companies

Insurance premiums paid by small and medium-sized companies are set at a discounted level as the Housing Warranty Fund bears some of the costs as it takes on a portion of the extraordinary losses from among the Liability Reserve of insurance corporations.

(2) Reinsurance against losses arising from intentional or gross negligence

Insurance corporations are exempted from insurance payments for losses arising from intentional or gross negligence in order to protect from moral hazards:

- Housing business providers should be responsible for such losses. However, if insurance corporations are exempted from insurance payments for these types of losses in the event that housing business providers become bankrupt, etc., clients/homebuyers have no redress.
- To guard against this type of situation (including when housing business providers cannot carry out repair work for some time due to financial stress), insurance corporations enter into reinsurance agreements with the Homebuyers' Rescue Fund ("the Fund") regarding intentional or gross negligence.
- In the event that the Fund has insufficient money and cannot make payments to the insurance corporations, the Housing Guarantee Fund may make interest-free loans to the Fund.

(3) Safety net against excessive losses

- For risks related to new house defect liability insurance (Type I), insurance corporations enter reinsurance contracts with casualty insurance corporations (excluding risks arising from intentional or gross negligence).
- For losses up to 12.5 billion yen, casualty insurance corporations set up joint financing pools for excessive losses in order to manage risks. For losses exceeding 12.5 billion yen, casualty insurance corporations have reinsurance contracts with the Large-scale Loss Compensation Fund (LSCF), and the Housing Guarantee Fund provides interest-free loans to the LSCF so that it can make reinsurance payments to casualty insurance corporations.

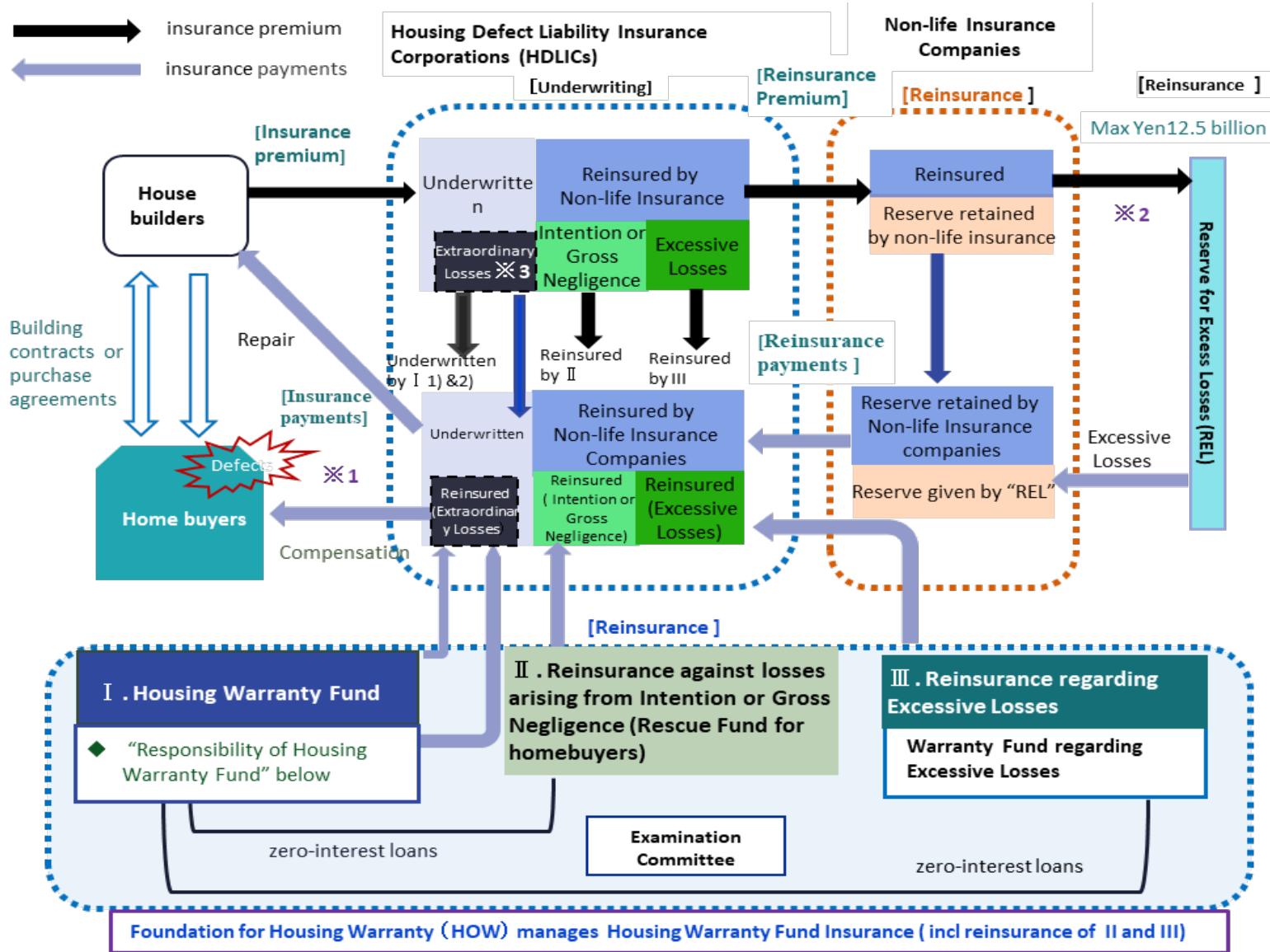
(4) Support for new products

Risks covered by new insurance products for existing houses may occasionally occur more often than initially estimated. This type of extraordinary risk can be covered by the Housing Warranty Fund.

The Foundation for Housing Warranty (HOW) provides reinsurance to insurance corporations for losses against intentional or gross negligence ((2) above) and excessive losses ((3) above).

7-3. Overview of Housing Defect Liability Insurance

Diagram 6



8. Source

Diagram	Name	Sources
Diagram 1	Housing investment and its share against GDP	Cabinet Office, National Accounts of Japan
Table 1	Difference between Mandatory Insurance and Voluntary Insurance	MLIT, 10 years of implementation of Defects Liability Insurance (Japanese Only)
Diagram 2	Security Deposit Scheme	MLIT, 10 years of implementation of Defects Liability Insurance (Japanese Only)
Table 2	Security Deposit	MLIT, 10 years of implementation of Defects Liability Insurance (Japanese Only)
Diagram 3-1,2	New Housing Defect Liability (Type I) Scheme	MLIT, 10 years of implementation of Defects Liability Insurance (Japanese Only)
Diagram 3-3	Reinsurance against losses arising from the intention or gross negligence	The Foundation for Housing Warranty
Diagram 4	Parts in Housing, in which 10 years liability is mandatory	MLIT, 10 years of implementation of Defects Liability Insurance (Japanese Only)
Diagram 5	Inspection at the time of underwriting	Study Committee of the Housing Defects Assurance Regulation: The Housing Quality Assurance Act Q&A, 2008
Diagram 6	Safety net of Housing Defect Liability Insurance	MLIT, 10 years of implementation of Defects Liability Insurance (Japanese Only)

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