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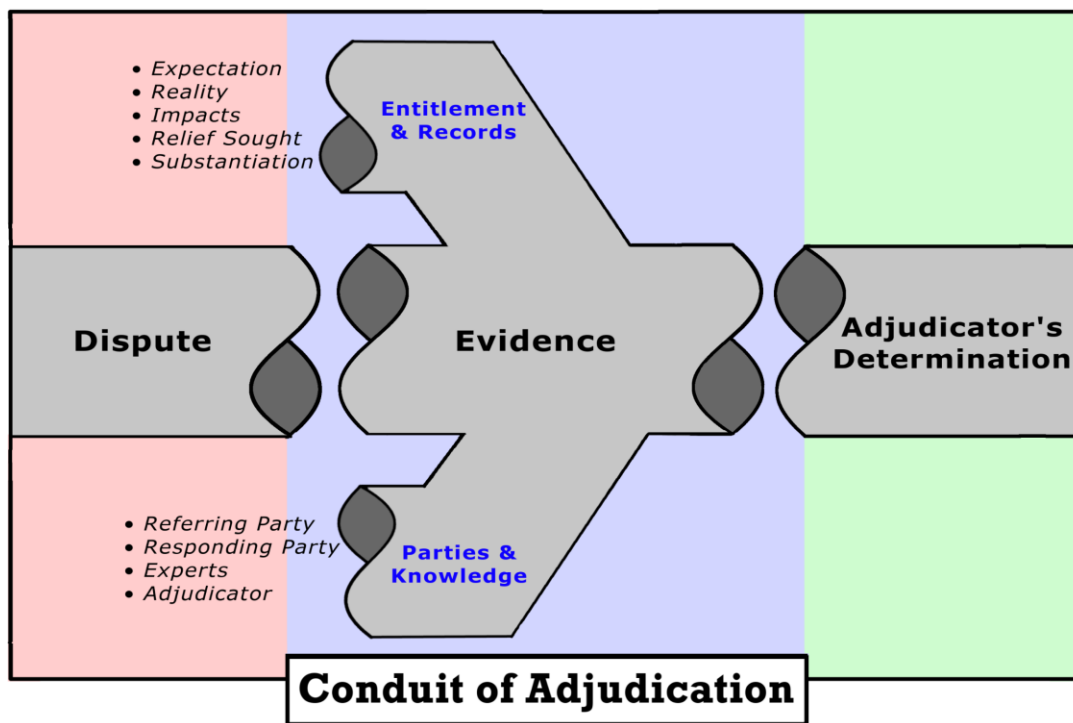
Adjudication Awareness Bulletin (April, 2019) Conduit of Adjudication Dispute to Evidence to Determination

This is further to the **Adjudication Awareness Bulletin (March, 2019)** titled “Scenario – Lifecycle of a Typical Contract Dispute - Dispute to Adjudication to Resolution” with respect to the Construction Act (“Act”) that came into force in Ontario in 2017.

A typical construction dispute that is subject to adjudication follows a process that involves a number of stages that flow from there being a dispute through to there being a determination which typically involves the following steps

- 1. Dispute:** There is a difference between the parties which crystalizes into a dispute which is subject to a notice of dispute issued, in the prescribed form, by one party to the other.
- 2. Entitlement & Records:** The entitlement alleged by one party (and responded to by the other party) is evidenced by records which detail what was expected, encountered, impacts, relief sought, and provide substantiation.
- 3. Parties & Knowledge:** The knowledge of the referring party, responding party, any experts (if engaged), and the adjudicator provide their specific expertise to the matters under dispute.
- 4. Evidence:** The Entitlement & Records (item 2) and the Parties & Knowledge (item 3) provide the evidence in support of the Dispute (item 1) as provided by the parties participating in the adjudication.
- 5. Adjudicator’s Determination:** The Evidence (item 4) provides the information that allows the adjudicator to provide its determination in respect of the Dispute (item 1).

This process from there being a dispute through to there being a determination can be pictorially represented as shown below in the **Conduit of Adjudication**.



Watch this space: Further **Adjudication Awareness Bulletins** will follow!

Note: This Adjudication Awareness Bulletin is issued for informational purposes only and does not constitute legal advice. Further, Adjudico Inc. is not liable for reliance by any party in respect of any and all statements contained within this Adjudication Awareness Bulletin.

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