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Construction Adjudication in Ontario ODACC Sets Out Recommended Adjudication Timeline Did You Know...

This is further to the related *Adjudication Awareness Bulletin* (August 2019) titled “*Construction Adjudication in Ontario – ODACC Sets Out Recommended Processes & Fees*” with respect to the Construction Act that came into force in Ontario in 2017.

1. ADR Chambers is the Authorized Nominating Authority (“ANA”) in Ontario as announced by the Ministry of Attorney General (“MAG”) on July 18, 2019.
2. ADR Chambers announced on August 22, 2019 that the ANA will be known as Ontario Dispute Adjudication for Construction Contracts (“ODACC”) and its services will be available across Ontario.
3. ODACC will commence operation on October 1, 2019, at which time ODACC Adjudicators will be available to provide expedited determinations. ODACC has provided the following recommended **adjudication timeline** (in calendar days):

Days	Action
Day 1	Adjudicator selected by the parties or appointed by ODACC.
Day 5	Claimant sets out its position, provides a copy of the construction contract and disputed invoice, and supplies any documents that it intends to rely on.
Day 8	Respondent sets out its position and supplies any document it intends to rely on.
Day 10	The adjudicator communicates the balance of adjudication process to parties.
Day 15	Submission of witness statements.
Day 18 or earlier	Site visits to take place, if necessary.
Day 20 or earlier	Oral hearing to take place, if necessary.
Day 29 or earlier	The appointment of an assistant, if necessary.
Day 30	Written determination forwarded to ODACC for review.
Day 35	Written determination released to the parties.

Note: Day 1 represents the day the adjudicator is selected by the parties or appointed by ODACC. Unless an extension is granted by the parties to the adjudication, the entire adjudication process must be completed within 30 days from receiving the documents from the claimant. The claimant’s documents must be received no later than 5 days after an adjudicator agrees or is appointed by ODACC to conduct the adjudication.

Watch this space: Adjudication Awareness Bulletins will follow!

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