



Ontario Dispute Adjudication for Construction Contracts

2001 Sheppard Avenue East, Suite 200
Toronto, ON M2J 4Z8
Email: authority@odacc.ca
Tel: 416-307-0008 | Toll Free: 1-888-221-3721
Fax: 416-362-8825 | Toll Free Fax: 1-877-862-8825
www.odacc.ca

NOTICE OF ADJUDICATION

Construction Act, R.S.O. 1990, c. C.30

Case Number:

Case Name:

CLAIMANT'S INFORMATION

Company name and operating name (if operating name is different) or if Claimant is an individual, name of individual:

Name of company contact (if applicable):

Email:

Phone Number:

Title:

Address:

Is the Claimant a Contractor as defined by the *Construction Act*, R.S.O. 1990, c. C.30?

Yes ☐ No ☐



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CLAIMANT'S REPRESENTATIVE'S INFORMATION

Name of individual at Claimant's representative's organization:

Email: _____

Phone Number: _____

Company Name: _____

Title _____

Address:

RESPONDENT'S INFORMATION

Company name and operating name (if operating name is different) or if Respondent is an individual, name of individual:

Name of company contact (if applicable): _____

Title:

Email: _____

Phone Number: _____

Address:



www.odacc.ca



Nature of the redress sought (what you would like the Adjudicator to order):

Was there a previous adjudication in which the Party was involved in respect of the contract or subcontract?

Yes

No

If yes, please provide the date, nature and substance of any previous adjudication in which the Party was involved in respect of the contract or subcontract, including a copy of any determination made by the adjudicator:

Attach Determination to the Notice of Adjudication (if applicable).



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SUGGESTED ODACC ADJUDICATION PROCESS

Suggested ODACC Adjudication Process*:

**More information on ODACC Pre-designed Adjudication Processes can be found at <https://odacc.ca/en/claimants/adjudication-process-2/>.*

SUGGESTED ADJUDICATOR

I suggest the following Adjudicator to conduct the adjudication:

** Proposed Adjudicator must be a Certified ODACC Adjudicator. ODACC's Adjudicator Registry can be found at the following link: <https://odacc.ca/en/adjudicator-registry/>.*

☐ I consent to potential adjudicators be given the information in the Notice of Adjudication to allow them to determine whether they have a conflict of interest and whether they are prepared to adjudicate the dispute. I confirm that there is no confidential information in the Notice of Adjudication that cannot be seen by potential adjudicators.

☐ I agree to pay the retainer within five days of receiving the retainer from ODACC and any additional fees and costs related to the adjudication (beyond the amount paid as a retainer) within ten days from the date the Determination is issued to the Parties. Please click here for more information: <https://odacc.ca/en/claimants/payments/>.

☐

I agree that communications, documents and the Determination (the "Information") shared or disclosed in the adjudication shall not be disclosed to anyone who is not a Party to the adjudication, except in the following limited specified circumstances:

- where the Information is required in a subsequent adjudication respecting the same Improvement;
- where a Party applies to a court or to an arbitral tribunal to consider matters dealt with in the adjudication;
- pursuant to an order of a court of competent jurisdiction or where the disclosure is required by law;
- where the Information is otherwise in the public domain;
- where the person to whom the Information is disclosed is a legal or financial advisor to a Party to the adjudication;
- where the person to whom the Information is disclosed is involved in the adjudication (such as a contract administrator, an expert or a witness in a hearing);
- with the consent of all of the Parties to the adjudication; and
- where the Information suggests that there will be actual or potential threat to human life or safety or where the disclosure is required in order to prevent the commission of a crime.

Signature

I have authority to bind the Claimant
(if the Claimant is an organization)

Date

Printed Name of Person Signing

Position of Person Signing

**NOTICE TO
RESPONDENT:**

IF YOU DO NOT FILE A RESPONSE with ODACC the adjudication may proceed without you and a Determination may be obtained against you. Information about ODACC and the adjudication process can be found at: www.odacc.ca



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Instructions for Referring a Dispute to Adjudication

To start an adjudication, the Claimant must register on ODACC's Custom System. If the Claimant has an ODACC Custom System account from a previous adjudication matter, the same account may be used for multiple adjudications. To register on ODACC's Custom System, please visit: <https://app.odacc.ca/en-CA/Identity/Account/Login?ReturnUrl=%2F>.

ODACC's Custom System is the technology platform used by ODACC to administer and facilitate adjudications. ODACC's Custom System will enable the Claimant to fill in a Notice of Adjudication, upload documents and progress through the adjudication process. The Claimant can also communicate with the Respondent and the Adjudicator within ODACC's Custom System.

If the Claimant does not wish to use ODACC's Custom System, the Claimant may file the Notice of Adjudication with ODACC by sending it to ODACC via email at authority@odacc.ca or via fax 416-362-8825.

The Claimant will also need to provide to the other party the Notice of Adjudication form in accordance with the *Construction Act*, R.S.O. 1990, c. C.30.

Where the Notice of Adjudication is uploaded to the custom system between 4:00 p.m. and midnight (EST), it will be deemed to have been uploaded on the following Day.