



Inspection and Technical Services
Labour and Immigration
508 – 401 York Avenue
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www.gov.mb.ca/labour/its

December 1, 2023

Engineers Geoscientists Manitoba
870 Pembina Hwy
Winnipeg, Manitoba, R3M 2M7

Dear Engineers and Geoscientists Manitoba:

As you are aware, the Permit Dispute Resolution Act and the Permit Dispute Resolution Regulation are set to take effect on March 1, 2024. I would like to thank you for meeting with us in the fall and providing us with your feedback, as well as for sharing the *Adjudicator-Applicant Information Form* and the *Adjudicator-General Information Sheet (Permit Dispute Resolution Hearing)* with your members. The expertise of your members will be vital to the successful implementation of the permit dispute resolution hearing process.

To solicit additional applicants, Inspection and Technical Services are requesting that you once again send this information package to your members. Any members who are interested in being considered should fill out the attached *Adjudicator-Applicant Information Form* and email it, along with their resume, to TechnicalServices@gov.mb.ca before January 31, 2024. Please use the subject line "Attention: Building Codes-Adjudicator-Applicant Information Form".

Background information, as well as the aforementioned form, can be found on the Inspection and Technical Services web page: [Province of Manitoba | Labour | Labour and Immigration | 2020 Construction Codes Adoption](#).

Please feel free to contact me at Joe.Kasprick@gov.mb.ca or 204-795-2587 if you have any additional questions. Your cooperation is very much appreciated, and I look forward to our continued collaboration.

Sincerely,

Joe Kasprick
Program Manager – Building Codes Inspection and Technical Services
Labour and Immigration
508 – 401 York Avenue

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The Permit Dispute Resolution - Adjudicators

Mandate:

Under the authority of The Permit Dispute Resolution Act, adjudicators are appointed by the Minister to hear appeals, conduct hearings, resolve disputes and make binding orders respecting decisions made by provincial or municipal officials about the technical requirements of building standards, complaints that inspections and decisions on permit applications were not conducted or made in a timely manner, which party was at fault in a permit dispute and the proportion of the adjudicator's fees that should be charged directly to each party.

Manitoba Labour and Immigration (the Department) is working to establish a list of adjudicators with expertise in various code areas that the Minister may pick from when appointing an adjudicator to resolve code disputes between parties.

Sections of The Permit Dispute Resolution Act that relate to electric permitting disputes and electrical permitting performance standards are anticipated to be proclaimed along with the changes to The Manitoba Hydro Act in 2024. The Department is not selecting adjudicators to resolve electrical disputes at this time, but may reach out in the future for candidates.

Authority:

[The Permit Dispute Resolution Act](#)
[Permit Dispute Resolution Regulation](#)

Responsibilities:

The adjudicator selected by the Minister to resolve a dispute must hold a hearing that gives the applicant and the approving authority an opportunity to present evidence and make submissions respecting the matter in dispute. The adjudicator may conduct the dispute resolution hearing orally, or in writing, or partly orally and partly in writing. The adjudicator is required to issue their order and written reasons within 15 days after the conclusion of the dispute resolution hearing. The adjudicator's order is binding on the parties and the matter in dispute is not subject to any further appeal or review process of an approving authority. The orders and written reasons will be made publicly available.

Length of Terms:

An adjudicator must be appointed for a term of not more than three (3) years and continues to hold office until re-appointed or replaced.

Desirable Expertise:

- Excellent written and verbal communication skills and experience conducting hearings.
- Comprehensive knowledge of the Manitoba construction codes (Building, Plumbing and Energy for Buildings) including expertise in one or more of the following code areas:
 - Part 2 – Farm Buildings
 - Part 3 – Fire Protection
 - Part 3 – Occupant Safety
 - Part 3 – Accessibility
 - Part 4 – Structural
 - Part 6 – Heating, Ventilating and Air-Conditioning
 - Manitoba Plumbing Code
 - Part 8 – Safety Measures at Construction and Demolition Sites
 - Part 9 – Housing and Small Buildings
 - Manitoba Energy Code for Buildings

- An understanding of the provincial building regulatory system including permitting processes and administration.

Time commitment:

The number of permit dispute resolution hearings will depend on the number of applications filed.

Meetings:

Frequency: Hearings held as required, as applications for permit dispute resolution hearings are received.
Location: Hearings held across Manitoba, as determined by the adjudicator.
Duration: A permit dispute resolution hearing is typically between 2 hours to 2 days, depending on the nature of the dispute.

Remuneration:

The cost for a dispute resolution hearing is \$450.00 for a hearing up to two hours in length, plus \$112.50 for each additional half-hour, up to a maximum of \$2,250.00 per hearing. The adjudicator has complete discretion to determine the allocation of costs between the parties and may consider the outcome of the dispute, the conduct of each party and any other factors the adjudicator considers relevant. The adjudicator will bill the parties directly for the costs of the hearing.

Adjudicator-Applicant Information Form



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Step 1: Fill out the Adjudicator-Applicant Information Form.

Step 2: Once you've completed and saved the form, email it and your resume to TechnicalServices@gov.mb.ca, with the subject line Attention: Building Codes- Adjudicator-Applicant Information Form.

If you prefer to mail your completed form please print it and send it along with your resume to:

Inspection and Technical Services
508-401 York Avenue
Winnipeg, MB R3C 0P8
Attention: Building Codes

Applicant Information			
First Name:		Last Name:	
Email:		Phone Number:	
Home / Mailing Address:			
Suite No./ P.O. Box		Postal Code:	
City:		Province:	
Are you bilingual (French/English)?		<input type="checkbox"/> YES <input type="checkbox"/> NO	

Adjudicator-Applicant Information Form



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Current place of employment and position

Employment Background/Professional Experience

Education (Please include institute's name and year started/completed)

Community / Committee Involvement

Adjudicator-Applicant Information Form



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Area(s) of Code Expertise		
<input type="checkbox"/> Part 2 – Farm Buildings <input type="checkbox"/> Part 3 – Fire Protection <input type="checkbox"/> Part 3 – Occupant Safety <input type="checkbox"/> Part 3 – Accessibility <input type="checkbox"/> Part 4 – Structural <input type="checkbox"/> Part 6 – Heating, Ventilating and Air-Conditioning <input type="checkbox"/> Manitoba Plumbing Code <input type="checkbox"/> Part 8 – Safety Measures at Construction and Demolition Sites <input type="checkbox"/> Part 9 – Housing and Small Buildings <input type="checkbox"/> Manitoba Energy Code for Buildings <input type="checkbox"/> An understanding of the provincial building regulatory system including permitting processes and administration		
Additional Comments		
Declaration		
Applicant Name	Applicant Signature	Date