



MEMBER & EXCAVATOR RECOURSE COMPENSATION

With the Getting Ontario Connected Act becoming law, Members and Excavators can now seek compensation, from each other, if there is a financial loss or expense incurred due to the other party contravening specific sections of the Act.

Please note, Member or Excavator Recourse happens outside of Ontario One Call.

Who Can Seek Compensation ...

Excavators from Members

[Section 17 \(1\)](#)

- If the Member has failed to provide accurate locates
- or has provided locates outside of the legislated timeframe
- or incorrectly provided a clearance

Members from Excavators

[Section 16 \(1\)](#)

- If an Excavator requests a locate to be delivered without the intention of starting excavation within 30 days
- Or the Excavator digs in a manner where they reasonable ought to know would damage or interfere with underground infrastructure

Step #1

Members or Excavators seeking compensation should first attempt to work out financial compensation with each other

[Section 16 \(3\) and Section 17 \(3\)](#)

Step #2

If an agreement can not be reached, the Ontario Land Tribunal (OLT) can make a determination

[Section 16 \(4\) and Section 17 \(4\)](#)

OLT PROCESS

- ✓ An individual would need to file an “A1” form.
 - The A1 form can be accessed on the OLT’s website at: [OLT | Form A1 \(gov.on.ca\)](#).
- ✓ The filing fee is approximately \$1,100, but should be confirmed by the applicant when they contact the OLT.
- ✓ **Please Note:** the A1 form captures many appeal/application types, with the focus on the more commonly-filed appeals. Therefore, the applicant should **contact the OLT** for specific guidance **before filing the form** using one of the following options listed on the OLT’s “Contact” page:
 - Tel: (416) 212-6349 or toll-free (866) 448-2248
 - Email: OLT.General.Inquiry@ontario.ca or OLT.Registrar@ontario.ca

