
Rules of Practice and Procedure of the Discipline Committee

Procedure Reference **Written Hearings for Non-Compliance with the OAA Continuing Education Program**

Issue Date **April 18, 2008**

Revision Dates **July 19, 2024**

Rules

1. Where the Council of the Ontario Association of Architects (the Association) by resolution has directed that the [Discipline Committee](#) hold a hearing under Section 33(5) of the [Architects Act](#) R.S.O. 1990, c. A.26 to determine allegations of professional misconduct on the part of a member or where the [Complaints Committee](#) has referred in whole or in part the subject matter of a written complaint filed with the Registrar to the Discipline Committee with respect to a member's failure to comply with the mandatory program of continuing education of members as prescribed by Section 54 of the Regulation under the *Architects Act*, the hearing shall be conducted as a written hearing, unless the Association or the member satisfies the Tribunal that there is good reason for not holding a written hearing.
2. At least forty-five (45) days prior to the date of the hearing, the Association shall serve on the member all documents that will be submitted to the Tribunal for the purpose of the written hearing.
3. At least thirty (30) days prior to the date of the hearing, the member who is the subject of the proceeding shall serve on the Association all documents that will be submitted to the Tribunal for the purpose of the written hearing.
4. At least twenty (20) days prior to the date of the hearing, the Association shall deliver to the member who is the subject of the proceedings its written submissions to the Tribunal.
5. At least ten (10) days prior to the date of the hearing, the member shall deliver to the Association their written submissions to the Tribunal.
6. At least five (5) days prior to the date of the hearing, the Association shall deliver to the member its reply, if any, to the written submissions of the member.
7. Following the service of the documents and delivery of the written submissions, the documents and written submissions shall be filed with the Tribunal.
8. Notwithstanding Rule 7, where a member fails to comply with Rules 3 or 5, the Association shall, following compliance with Rules 2 and 4 file its documents and submissions and such documents and submissions, if any, that have been received from and delivered by the member with the Tribunal.
9. Where a member does not comply with Rules 3 or 5, the Tribunal may proceed with the written hearing on the basis of the Association's documents and submission and without either the member's documents or submission.
10. The documents referred to in Rules 2 and 3 shall include all written or documentary evidence that will be adduced by the party for the purpose of the written hearing including witness statements and reports of expert witnesses.
11. The report of an expert witness shall set out the expert's name, address, qualification and the expert's evidence.

12. No medical evidence will be accepted at the written hearing unless it is corroborated by a report signed by a practitioner as defined in Section 52(1) of the [Evidence Act](#), R.S.O. 1990, c. E..23 and the report is in compliance with Rule 11.
13. For the purposes of these Rules, a document may be served on a member by:
 - i. leaving a copy of the document at the address of record or the last known address of the member;
 - ii. mailing a copy of the document to the address of record or the last known address of the member; or
 - iii. faxing or e-mailing a copy of the document to the address of record or the last known address of the member.
14. For the purposes of these Rules, a document may be served on the Association by:
 - i. leaving a copy of the document at the office of the Association marked for the attention of the Registrar;
 - ii. mailing a copy of the document to the office of the Association marked to the attention of the Registrar;
 - iii. faxing or e-mailing a copy of the document to the office of the Association marked to the attention of the Registrar.
15. For the purposes of these rules:
 - i. "document" includes a sound recording, video tape, film, photograph, chart, graph, map, plan, survey, book of account and information recorded or stored by means of any device whether electronic or otherwise and includes data and information in electronic form;
 - ii. "electronic" includes created, recorded, transmitted or stored in digital form or in other intangible form by electronic, magnetic or optical means or by any other means that has capabilities for creation, recording, transmission or storage similar to those means;
 - iii. in the computation of time under these rules:
 - I. where there is a reference to a number of days between two events, they shall be counted by excluding both the day on which the first event happens and the day on which the second event happens;
 - II. where a period of less than seven days is prescribed, holidays shall not be counted;
 - III. where the time for doing an act under these rules expires on a holiday, the act may be done on the next day that is not a holiday;
 - IV. delivery of a document after 4:00 p.m. or anytime on a holiday shall be deemed to have been made on the next day that is not a holiday;
 - V. "holiday" means Saturday, Sunday, New Years Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day or Boxing Day and where New Years Day, Canada Day or Remembrance Day fall on a Saturday or Sunday, the following Monday is a holiday, and where Christmas Day falls on a Saturday or Sunday, the following Monday and Tuesday are holidays and where Christmas Day falls on a Friday the following Monday is a holiday.



Discipline Committee Signatures



Councillor J. William Birdsell (Chair)



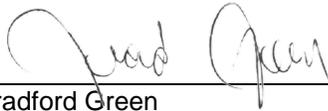
Vincent Francis Alcaide



James R. Anderson



Catherine Friis



H. Bradford Green



James Alfred Hargreaves



Izabela Kazanczuk



Michelle Longlade (Lieutenant Governor in Council Appointee)



Elaine Mintz (Lieutenant Governor in Council Appointee)



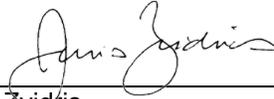
Laura G. Rachlin



Adam James Thom



Peter F. Turner



Juris Valdis Zvidris

