



### Howard Krupat

**Partner**  
[email protected]

#### Toronto

T: +1 416 365 3510  
F: +1 416 777 7421

Howard Krupat's practice is focussed exclusively on construction and infrastructure law and encompasses all sectors of that industry.

Howard has extensive experience as lead counsel on complex construction disputes involving major infrastructure projects. He also routinely provides strategic project and contract administration advice with the objective of achieving the early resolution of disputes.

Howard represents a broad range of clients including public and private owners, participants in Public-Private Partnership projects, general contractors, lenders, subcontractors, suppliers and design professionals. Howard's dispute resolution practice entails the negotiation, mediation, arbitration and litigation of claims relating to all facets of construction law including contract disputes, tendering, delay, professional negligence, surety bonds and construction liens and trusts. Howard also routinely advises clients on the preparation and structuring of construction and project agreements.

Howard's experience spans a wide range of projects, including transit, energy, infrastructure, commercial, condominium and manufacturing.

Howard also devotes a substantial amount of time to industry and professional associations. Recently, Howard served as an appointed member of the Advisory Panel for the Province of Ontario's *Construction Lien Act* Review. Howard is also a Fellow of the Canadian College of Construction Lawyers and the former Chair of the Ontario Bar Association's Construction and Infrastructure Section Executive, on which he served for many years. He is a member of the Allied Professions Committee of the Toronto Construction Association. Howard regularly chairs and speaks at industry and client seminars on a variety of construction law issues and has also published many articles in the area. Howard is also the Contributing Editor of the *Construction Law Letter*, a bi-monthly national publication of LexisNexis. Howard is recognized by his peers as a leading construction lawyer in a wide variety of publications.

#### RELATED SERVICES

- Construction and Engineering
- Construction Law
- Construction, Engineering and Infrastructure Disputes
- Litigation, Arbitration and Investigations
- Public Private Partnerships and PFI

#### LANGUAGES SPOKEN

English

#### LANGUAGES SPOKEN

- English

#### CREDENTIALS

---

## Admissions

- Ontario, 2001

## Recognitions

- *Lexpert® ALM 500 Directory* (Construction), 2018
- *Chambers Canada* (Construction), 2016-2019
- *Expert Guides: Construction & Real Estate Guide*, 2019
- *Who's Who Legal: Construction*, 2018
- *Best Lawyers in Canada* (Construction Law), 2012-2019
- *Canadian Legal Lexpert® Directory* (Construction), 2013-2019
- *Chambers Global* (Construction), 2015
- AV® Preeminent Peer Review Rated by Martindale-Hubbell
- *Lexpert Special Edition: Canada's Leading Infrastructure Lawyers*, 2013-2017

## Education

- LL.B., University of Western Ontario, 1999
- B.Sc. (Honours), York University, 1996

## Memberships

- Inducted as a Fellow of the Canadian College of Construction Lawyers
- Appointed Member, Advisory Panel, *Construction Lien Act* Review, Province of Ontario, 2016-Present
- Chair of Ontario Bar Association, Construction Section Executive, 2014-2015; Executive Member in various positions, 2006-2016
- Member, The Advocates' Society
- Member, The Law Society of Ontario
- Member, Allied Professions Committee, Toronto Construction Association (TCA)

## INSIGHTS

---

### Publications

#### Getting ready for Ontario's new *Construction Act*

2 APR 2019

Industry observers in Ontario are now well aware of the scope of the changes introduced through the amendments to the old *Construction Lien Act*, giving us what is a dramatically different piece of legislation – the *Construction Act*. However, becoming familiar with these significant changes and implementing them in practice are two very different undertakings. With prompt payment and adjudication now around the corner, a refresher is therefore in order.

---

#### Dramatic change ahead for the Ontario construction industry

5 SEP 2017

It is widely anticipated that the second reading of Bill 142, also known as the *Act to amend the Construction Lien Act*, will take place this fall. If implemented, Bill 142 will represent the most significant legislative reform seen in the Ontario construction industry since 1983, when the existing *Construction Lien Act* came into force.

---

## Events

### Upcoming

#### 2019 Construction Adjudication Symposium Significant Change — Time for Alignment

29 MAY 2019

---

### SPEAKING ENGAGEMENTS

- Speaker, "The New Prompt Payment Regime," Ontario's New *Construction Act: Adapting to the New Prompt Payment & Adjudication Regimes*, Apr 29, 2019
- Speaker, "Exploring the New Era of Construction Law," Ontario Bar Association, Feb 8, 2019
- Speaker, "2019 OWWA Construction Seminar — Constructing a Better Future," Ontario Water Works Association, Feb 7, 2019
- Speaker, "4th Annual Managing Risk in Construction Contracts and Projects," The Canadian Institute, Feb 5-6, 2019
- Speaker, "Ontario's New *Construction Act: Transitioning & Applying the Modernization Provisions*", *Osgoode Professional Development*, Dec 7, 2018
- Program Director and Moderator, "Prompt Payment & Adjudication in Canada" and "Construction Project Perspectives 360°", *The Osgoode Certificate in Construction Law*, Oct 29 - Nov 2, 2018
- Speaker, "Arbitration of Disputes in P3 Projects," CBA Construction and Infrastructure Law Conference, Oct 12, 2018
- Panelist, "Global Advisory on Capital Projects - How to Help Your Clients Mitigate Risk for a Competitive Advantage", the 8<sup>th</sup> International Society of Construction Law Conference - *Construction Law: Local Issues - Global Perspectives*, Chicago, Sep 26, 2018
- Speaker, "Ontario's New Construction Act: Managing the Change", *Osgoode Hall Law School Professional Development*, Apr 30, 2018
- Speaker, "*Construction Lien Act Updates*", Ontario Water Works Association Construction Seminar, Feb 8, 2018
- Speaker, "Effective Risk Management in Public-Private Partnerships", 3rd Annual Managing Risk in Construction Contracts and Projects, The Canadian Institute, Feb 6, 2018
- Program Director and Speaker, "Project Delivery and the Construction Contract", *The Osgoode Certificate in Construction Law*, Nov 27- Dec 1, 2017
- Speaker, "Bill 142, *An Act to Amend the Construction Lien Act*", *Superconférence sur la construction*, The Canadian Institute, Nov 2017
- Moderator, "A Comparative Discussion of Dispute Resolution in Canada and the USA in 2017 and Recent Trends", 2017 International Institute for Conflict Prevention & Resolution Canada Regional Meeting, Sep 2017
- Speaker, "*Construction Lien Act Reform: The Proposed System for Mandatory Adjudication of Disputes*", *Practice Gems: Construction Lien Essentials 2017*, Law Society of Upper Canada, Mar 2017
- Program Director and Speaker, *The Osgoode Certificate in Construction Law*, presenter on "Project Delivery and the Construction Contract", Nov 21-25, 2016
- Panelist, "Industry Forum: Expert Review of Ontario Construction Lien Act," Toronto Construction Association 22nd Members' Day, May 2016

- Speaker, "IONA and Related Case Law Update - Builders' Lien Act Trust Challenges," CBA Construction and Infrastructure Law Conference - Building Canada in Today's Economy, Canadian Bar Association, Apr 2016
- Speaker, "How to Maintain Civility in Construction Law Cases to the Benefit of Your Client and Yourself", Practice Gems: Construction Lien Essentials 2016, Law Society of Upper Canada, Mar 2016
- Speaker, "Good Faith in Construction: Where We Are Post Bhasin," Ontario Bar Association's Institute, Feb 2016
- Speaker, "Construction Lien and Trust Rights in Insolvency," 10th Construction Claims Course, Federated Press, Dec 2015
- Speaker, Construction Law Update: Panel on the Lien Act, Procurement and ADR, Construct Canada, Dec 2015
- Presenter, Mediation and Arbitration of Canadian Construction Disputes, Canadian Bar Association, Sep 2015
- Speaker, "Deconstructing Your Contract: Common Sources of Disputes in Construction Contracts," Informa Canada - Strategies for Legal Preparedness, May 2015
- Speaker, "Calculating Your Costs: How to Avoid Needless Issues and Liens with Your Consultants and Contractors," Informa Canada - 2014 Construction Law Conference, May 2014
- Panelist, "Construction: A Wide Playing Field for Lawyers," IBAs Asia Pacific Regional Forum, International Construction Projects Committee and Young Lawyers' Committee, Oct 2013

## NEWS

---

### **DLA Piper (Canada) LLP ranked in 2019 *Canadian Legal Lexpert Directory***

3 MAY 2019

DLA Piper (Canada) LLP is pleased to announce that thirty-eight of the firm's lawyers have been recognized as leading practitioners in the 2019 edition of the *Canadian Legal Lexpert Directory*.

---

### **International Arbitration lawyers selected by Who's Who Legal**

7 Jan 2019

We are delighted that Who's Who Legal, a directory of the "foremost legal practitioners in business law, based upon comprehensive, independent research among general counsel and private practice lawyers worldwide," has selected fifteen DLA Piper lawyers for its latest edition covering arbitration and construction.

---

### **DLA Piper (Canada) LLP recognized in 2019 *Lexpert®/ALM 500 Directory***

13 DEC 2018

DLA Piper (Canada) LLP is pleased to announce that the 2019 *Lexpert®/American Lawyer Guide to the Leading 500 Lawyers in Canada* has recognized three of our lawyers.

---

### **DLA Piper Canada recognized by *Chambers Canada 2019***

27 SEP 2018

DLA Piper (Canada) LLP is pleased to be recognized as an industry leader in the 2019 edition of *Chambers Canada*. With 34 lawyers recognized across 20 practices areas, this is DLA Piper Canada's strongest showing to date.

---

### **Best Lawyers in Canada 2019 recognizes 72 DLA Piper (Canada) LLP Lawyers**

22 AUG 2018

---

DLA Piper (Canada) LLP is pleased to have once more increased its rankings in the 2019 edition of *Best Lawyers*, with close to one-third of the firm's lawyers recommended as leading practitioners in Canada across key practice areas.

---

### **Howard Krupat inducted as a Fellow into the Canadian College of Construction Lawyers**

4 JUNE 2018

DLA Piper (Canada) LLP congratulates partner Howard Krupat on being inducted as a Fellow into the Canadian College of Construction Lawyers.

---

### **DLA Piper (Canada) LLP has strongest showing to date in 2018 *Canadian Legal Lexpert Directory***

2 MAY 2018

DLA Piper (Canada) LLP is pleased to announce that forty-three of the firm's lawyers have been recognized as leading practitioners in the 2018 edition of the *Canadian Legal Lexpert Directory*. The firm was also featured as a leader in eleven different practice areas.

---

### **DLA Piper (Canada) LLP Recognized in 2018 *Lexpert®/ALM 500 Directory***

13 DEC 2017

DLA Piper (Canada) LLP is pleased to announce that the 2018 *Lexpert®/American Lawyer Guide to the Leading 500 Lawyers in Canada* has recognized Chris Barnett, Howard Krupat, Ron Dimock, and Bruce Stratton as top practitioners in their field.

---

### **DLA Piper (Canada) LLP increases rankings in *Chambers Canada 2018***

29 SEP 2017

DLA Piper (Canada) LLP is pleased to be recognized for its expanding market leadership in the 2018 edition of *Chambers Canada*, garnering its highest number of rankings to date.

---

### **DLA Piper (Canada) LLP achieves strongest showing to date in *Best Lawyers***

22 AUG 2017

DLA Piper (Canada) LLP has once again garnered top rankings in *Best Lawyers in Canada*, with close to one-third of the firm's lawyers ranked across 34 practice areas.

---

## **MEDIA MENTIONS**

- Featured in Lexpert Special Edition - Canada's Leading Infrastructure Lawyers, September, 2015.
  - Quoted, "Insolvency lawyers relieved at ruling on Construction Lien Act," *Law Times*, March, 2015.
  - Quoted, "Review of Construction Lien Act a delicate matter," *Law Times*, March, 2015.
-