

## JEREMY RANKIN



**Categories:** [People](#), [Lawyers](#)

Jeremy Rankin has a broad commercial litigation practice with a focus on construction, infrastructure and real estate disputes. Jeremy finds creative and practical solutions to his clients' cases and is highly responsive. He cares deeply about the issues his clients are facing and makes his clients' problems, his problems.

Jeremy is an executive member of McMillan's National Construction Group. He represents stakeholders at every level of the construction pyramid, including owners, general contractors, subcontractors, engineers and consultants. Jeremy has acted on behalf of clients in disputes concerning cost overruns, interference, extras, delays, scope of work changes, holdback, COVID-19, bonds, liens and other construction impact claims in litigation, adjudication, mediation and arbitration. Jeremy also regularly advises developers regarding disputes with regulatory bodies and purchasers of real property, and assists landlords and tenants resolve commercial leasing disputes

Jeremy has helped clients resolve disputes relating to the construction of biomass plants, hydroelectric power stations, transformer stations, universities, medical facilities, hotels, food processing plants, water treatment plants, and large commercial, residential, and condominium developments.

Experienced in a broad range of litigation matters, Jeremy has also represented clients in franchise disputes, injunctions, jurisdictional challenges, enforcement of foreign judgments and letters rogatory, and a wide range of complex contractual disputes. Jeremy has represented clients in proceedings before the Ontario Divisional Court, the Ontario Superior Court, the Licence Appeal Tribunal and numerous adjudicators and arbitration tribunals.

Jeremy writes and presents regularly on developments in construction law matters and the *Construction Act*.

**Email:** [jeremy.rankin@mcmillan.ca](mailto:jeremy.rankin@mcmillan.ca)

**Expertise:** Commercial Real Estate, Construction & Infrastructure, Corporate Commercial Litigation, Litigation & Dispute Resolution

**LinkedIn:** <https://www.linkedin.com/in/jeremy-rankin-a641b1111/>

**Location:** Toronto

**Phone:** 647.943.8059

**Position/Title:** Partner, Litigation & Dispute Resolution

**Publications:**

- "[Adjudication under the Construction Act: Court Confirms Test to Apply for Judicial Review a “High Bar”](#)," Lexology, (March 14, 2023)
- "[Government of Ontario to amend emergency order to allow release of holdbacks](#)," Link2Build (April 14, 2020)
- "[Lost in Transition](#)," Link2Build (March 9, 2020)
- "[Is your limitation period running?](#)," Link2Build (January 22, 2020)
- "[It is time you got paid promptly](#)" (The Generals, Fall/Winter 2019)

**Education & Admissions:**

**Degree:** Called to the Ontario bar

**Year:** 2016

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**Degree:** JD

**University:** Osgoode Hall Law School

**Year:** 2015

**Media Mentions:**

- [“A tale of two project conflicts: a non-starter and one running overtime.”](#) By John Bleasby, *Daily Commercial News*, Legal Notes, February 24, 2021, p.4

**Rankings & Recognition:**

- JSD Tory Research and Writing Award

**Speaking Engagements:**

- Saving the Troubled Project, The Osgoode Certificate in Construction Law (Fall), Osgoode Hall Law School– Professional Development, Facilitator

- 2022-present

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- The Society of Construction Law North America Conference

- July 16, 2023

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- Saving the Troubled Project Workshop, The Osgoode Certificate in Construction Law (Fall), Osgoode Hall Law School – Professional Development, Program Facilitator with Geza Banfai, Howard Krupat, and Jason Annibale

- October 28, 2022

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- Responses to Select Questions from the "The Impact of COVID- 19 on the Construction Industry: McMillan Answers Your Questions" Webinar

- April 3, 2020

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- Webinar: The Impact of COVID-19 on the Construction Industry: McMillan Answers Your Questions

- March 31, 2020

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- Presentation at the OGCA 11th Construction Symposium on Changes to the New Construction Act

- April 12, 2019

### **Representative Matters:**

- Successfully represented Owner at arbitration in defeating 20 cost overrun and delay claims forwarded by international engineering contractor totaling over \$300 million in respect of the construction of two biomass energy plants. Claimed and awarded all liquidated damages sought in the amount of \$37M and more than \$7M in legal fees. Case involved almost 100,000 documents produced, 47 witness statements, 11 expert reports, cross-examinations conducted using simultaneous language translation, and over 1,000 pages of opening and closing statements.
- Successfully represented international contractor and original equipment manufacturer at arbitration against the Provincial Authority in respect of the construction and commissioning of a major hydro-electric power generating plant in Canada. The dispute involved the interpretation of the parties' agreement regarding the method of valuation of changes to our client's work. The arbitrator ruled in our favour, resulting in more than \$70M to our client on account of future changes to the work.
- Resolved at mediation a contractor-client's claim for unpaid contract amounts and changes, and owner's claim for delay and deficiencies in the total amount of \$36M in respect of two high rise condominium buildings in Toronto. Successfully negotiated approximately 87% recovery of client-contractor's claim and 100% defence of owner's delay and deficiency claims.
- Resolved at mediation an engineering-consultant's claim for \$3M in additional fees in connection with the construction of a large LEED Silver certified transit garage for conventional and electric buses.
- Successfully resolved owner-client's claim against operation and maintenance contractor in respect of over \$1 million in production shortfall payments arising out of the operation of a number of solar energy projects.
- Successfully resolved engineering firm-client's claim against a foreign public authority in respect of the construction of a waste water treatment plant in Africa.
- Successfully defended purchaser's application for extension of closing date on behalf of developer-client, requiring purchaser to close on date specified by developer-client. Also obtained order for substantial indemnity costs against purchaser.
- Successfully enforced letters rogatory from a US Court, requiring a witness residing in Canada to provide documents and deposition testimony in a US proceeding.
- Obtained numerous contempt orders against director of judgment debtor who refused to attend judgment debtor examinations, and obtained order for substantial indemnity costs against judgment debtor companies and director found in contempt.

**Teaching Engagements:**

- Adjunct Professor, ADZ School of Construction Management, George Brown College – **Construction Contract Law Course**

**Industries:** Construction & Infrastructure

**Practices:** Commercial Real Estate, Corporate Commercial Litigation, Litigation & Dispute Resolution