



## **RYAN A. SHAW, PARTNER**

Ryan's practice and experience is focused on insurance defence, real estate and construction disputes. Ryan completed his articles with Richards Buell Sutton in May 2014 and joined the firm as an associate with our Litigation and Dispute Resolution Group.

In his time with the firm, Ryan has developed a reputation as an effective and practical lawyer. He regularly works with large institutional clients and international developers, as well as individual land owners and contractors. Ryan has appeared before all levels of court in B.C., and has experience with alternate forms of dispute resolution, including mediation and arbitration. Ryan's goal is to provide clients with constructive and practical advice that will assist them in resolving their disputes.

### **REPRESENTATIVE CLIENT WORK**

#### **Insurance**

Ryan has acted for some of the top insurance companies in the world and has defended their insureds against third party property and personal injury claims.

- Obtaining dismissal of \$15.0 Million USD damage claim for losses incurred due to negligent handling of combustible materials and large scale fire at luxury resort property (*B.C. Ltd. v. David Moerman Painting Ltd., 2022 BCSC 1683*)
- Obtaining dismissal of an eight year old lawsuit against a strata corporation, its directors and others for extensive damages following a 22-day Supreme Court trial (*Hirji v. The Owners Strata Corporation Plan VR44, 2015 BCSC 2043*)
- Successfully arguing for special costs against the plaintiffs in the above noted action (*Hirji v. The Owners Strata Corporation Plan VR44, 2016 BCSC 548*)
- Defending contractors in multi-party property damage claims involving building defects

#### **Contact Info**

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#### **Assistant**

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#### **Practice Areas**

Advanced Education and  
Research

Builders Liens

Commercial Leasing Disputes

Construction

Debt Collection

Insurance

#### **Bar Admission**

Bar of British Columbia, 2014

#### **Education**

The University of British  
Columbia, J.D., 2013

University of Victoria, B.A. with  
Distinction, 2008



## Languages

English

- Defending strata corporations, property managers, and strata council members against allegations of breach of statutory duty, breach of contract and negligence from strata property owners, including handling cases through Small Claims trial and appeal
- Defending commercial property owners against slip and fall claims

## Real Estate Litigation

- Ryan has broad experience working with property managers, tenants and landlords handling commercial lease disputes including failure to pay rent, rent distress, abandoned premises, abandoned goods in a premises, surrender agreements and ownership of fixtures on premises. His client work also includes advising developers, purchasers and sellers in claims arising from the sale of residential and recreational real estate in B.C.
- Ryan also works with developers and other property owners in litigation brought under the BC *Environmental Management Act* (“EMA”) in respect of contaminated property. Recent experience in this area includes Ryan’s successful application to retroactively restore a company that was dissolved more than 17 years prior to the application, as well as the directorship of its sole director, to avoid the application of previously settled law. This landmark decision set a new precedent which enabled our client to pursue a cost-recovery action under the *EMA* against both the company and its director (*Foster v. Tundra Turbos Inc.*, 2018 BCSC 563)

## Construction

Ryan has acted for international, national and local property developers in their construction based disputes. He regularly advises owners, contractors and sub-contractors on builder’s lien issues.

Experience in this area includes:

- Acting as counsel for a developer client in obtaining a ruling declaring a builder’s lien invalid and clarifying the law allows for multiple “head contracts” on a construction project (*Century Group GP Co. Ltd. v. KRS Excavating Ltd.* (22 June 2021), British Columbia S206619 (BCSC); and

- Successfully applying to recover costs and damages resulting from the wrongful lien filing and setting a new precedent which enables an owner to recover legal expenses incurred investigating and removing a wrongfully filed builders lien (*Century Group GP Co. Ltd. v. KRS Excavating Ltd.*, 2022 BCSC 357)

## PUBLICATIONS & ARTICLES

- “Is a Sun Deck “Within” a Dwelling?” - Insurance Newsletter, 2023
- “Court Establishes Significant Costs Consequences for Wrongfully Filed Builders Liens” - Insurance Newsletter, 2022<
- “Court of Appeal Confirms Replacement Cost Available Without Rebuild” - BC Broker E-Magazine, 2021
- “Waivers and “Own Negligence” clauses - Court of Appeal Clarifies Legal Test” - Insurance Newsletter, 2020
- “Dissolved Companies and Their Former Directors and Officers Exposed to Liability for Costs to Remediate Contaminated Sites under the *B.C. Environmental Management Act*” - Insurance Newsletter, 2018
- “Statutory Environmental Liability and the CGL Pollution Exclusion” - Insurance Newsletter, 2018
- “A New Duty of Care Recognized for Auto Dealers to Thieving, Delinquent Minors” - Insurance Newsletter, 2017
- “Replacement of Destroyed Buildings” - Insurance Newsletter, 2016
- “New Boundaries for the Household Resident Exclusion in British Columbia?” - Insurance Newsletter, 2016
- “Defend an occurrence outside the policy period?” - Insurance Newsletter, 2015
- “Well, I Do Declare” - Insured’s Business Operations”” - Insurance Newsletter, 2014

## **PROFESSIONAL AFFILIATIONS**

Canadian Bar Association  
Law Society of British Columbia  
Trial Lawyers Association of British Columbia

## **NEWS**

January 24, 2023  
Four New Partners Welcomed to the Partnership

November 24, 2017  
Ryan Shaw's article published in BCSCA Newsletter

August 10, 2015  
RBS is a proud sponsor of the British Columbia Shopping Centre Association Charity Golf Tournament

## **EVENTS**

July 9, 2024  
Proud Sponsors of Century Group's Delta Health Classic Golf Tournament

June 20, 2024  
Gold Sponsors of CCI Group's Annual Golf Tournament in Support of Mental Health Awareness

June 19, 2023  
Real Estate Group Sponsors the 24th Annual Century Group Delta Hospital Golf Tournament

November 9, 2022  
Advanced Education Group Host Annual Half-Day Seminar for BC University Counsel

July 28, 2022  
Insurance Lawyers are Gold Sponsors of CICMA Charity Golf Tournament in Support of Make-A-Wish

July 19, 2019  
RBS supports the EllisDon and C&S Group First Annual Subtrade Golf Tournament

September 8, 2017  
RBS Lawyers participate in Access Pro Bono's 10th Anniversary Initiative

April 21, 2016  
Seminar: Construction Law - Understanding liens and insurance law

## PUBLICATIONS

June 2, 2023

Bill 27 - Money Judgment Enforcement Act

May 8, 2023

Is a Sun Deck "Within" a Dwelling?

March 23, 2022

Court Establishes Significant Costs Consequences for Wrongfully Filed Builders Liens

December 15, 2021

Supreme Court of Canada Clarifies Tort Liability Exposure for Public Authorities

April 15, 2021

Court of Appeal Confirms Replacement Cost Available Without Rebuild

March 31, 2020

Waivers and "Own Negligence" Clauses - Court of Appeal Clarifies Legal Test

June 5, 2018

Dissolved Companies and Their Former Directors and Officers Exposed to Liability for Costs to Remediate Contaminated Sites under the B.C. Environmental Management Act

February 14, 2018

Statutory Environmental Liability and the CGL Pollution Exclusion

October 26, 2017

The Importance of Providing Proper Notice

February 23, 2017

A New Duty of Care Recognized for Auto Dealers to Thieving, Delinquent Minors

September 8, 2016

The True Meaning of Replacement Costs

June 10, 2016

Replacement of Destroyed Buildings

April 27, 2016

New Boundaries for the Household Resident Exclusion in British Columbia?

June 25, 2015

Defend an occurrence outside the policy period?

January 16, 2015

U.S. Case Clarifies 'Voluntary Payment' Defence

October 2, 2014

The Top 5 Things Employers Need to Know About BC Workers' Compensation Legislation



August 7, 2014

“Well, I Do Declare” – Insured’s Business Operations

July 16, 2014

Major Changes to the Temporary Foreign Worker Program



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