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APRIL 2025 WP

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**SHAWNA GILLEN, CFEI
President, CIP**

AND...the **2025 OIAA Claims Conference** is **FINALLY** here! The **2025 Claims Conference** is taking place on **Wednesday, April 2, 2025**, at the **Metro Convention Centre**. This is one of the OIAA's signature events, and one that I look forward to each year.

I joined the OIAA as an Adjuster Member in 2001, when I started my career in the insurance industry as an Accident Benefits Examiner. It was in 2002 when I attended my first ever, OIAA Claims Conference at the Metro Toronto Convention Centre. I still remember being in absolute amazement between the variety of seminars available and the vast tradeshow floor! This started my yearly ritual of attending the OIAA Claims Conference. It was always a good opportunity to spend time with my colleagues, get caught up with previous colleagues, touch base with vendor partners, and refresh my claims knowledge and skills. I eventually joined the OIAA Provincial Chapter in 2015 as a Toronto Delegate and cannot believe 10 years later I am the President! Time really does fly when you are having fun! Please look out for your OIAA Executive at the registration booth, in the seminars and on the tradeshow floor on April 2nd. I am including a picture of your 2024-2025 OIAA Executive that we took at the 2024 OIAA Holiday Party so if you see one of us, feel free to stop us for any assistance or ask us questions!



The 2025 OIAA Claims Conference features diverse seminars for attendees to choose from so you are sure to find 1 or 2 or more that will appeal to you. We have seminars featuring catastrophic property response, leadership lessons, cyber investigations, AI technology in restoration, construction claims liability, tort update, concussions, property claims estimating, top AB cases from 2024, and two panel discussions: one panel featuring Claims Leaders from Allstate, Aviva, Enterprise and Trillium Mutual, and the second panel on Canadian Underwriter's Mental Health Survey Report.

In addition, there are 139 Exhibitors to check out at the 2025 OIAA Claims Conference. We have a wide variety of exhibitors at this year's conference. This year we have also invited some very special organizations to join the OIAA Claims Conference with a booth. In addition, the OIAA also has their own booth and will have members of the Provincial Chapter, as well as members of our local chapters present at the booth. Please stop by **Booth 102** and we can tell you about our future events and reasons to join the OIAA as either an Adjuster Member or Social Member. We also have a contest, so please do stop by and check us out!

We are also pleased to provide you with a paper copy of the WP (Without Prejudice) for the Special April Edition to all attendees of the 2025 OIAA Claims Conference. As always, the WP will be also available digitally on our website at www.oiaa.com. Thank you to our advertisers!

Lastly, the 2025 OIAA Claims Conference features WP Radio live. Our very own Terry Doherty (and current Past President) is the host of WP Radio. Terry will be in **Room 104D** and will be interviewing some of our vendor partners. Be sure to check it out and say "hi" to Terry!

I would also like to acknowledge our Sponsors for the 2025 OIAA Claims Conference.

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Our next event is the 2025 OIAA Golf Tournament taking place on Friday, May 31st at Cardinal Golf Club. Follow our social media for further details.



I welcome your comments and feedback. Please feel free to reach out to me at sgillen@facilityassociation.com.

**Yours truly,
SHAWNA GILLEN, CIP
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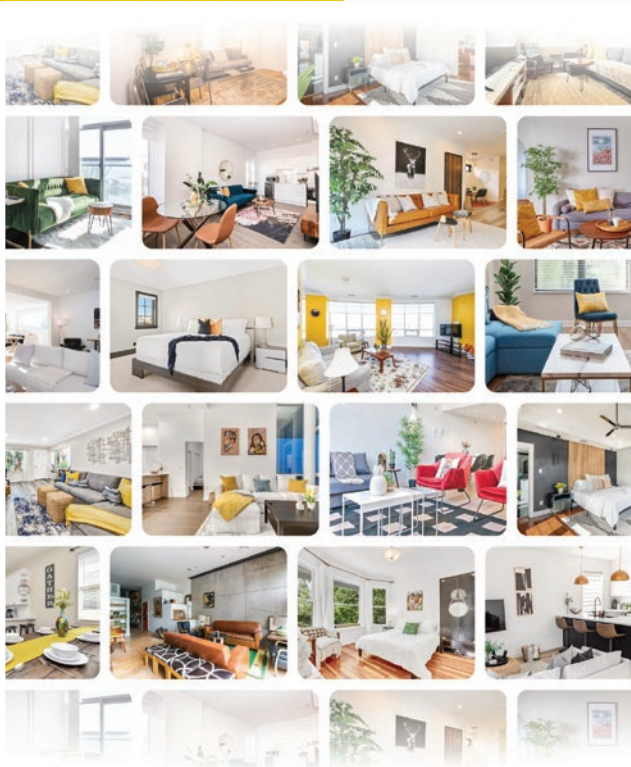
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MAY 2025

- May 1.....Georgian Bay - Past President & Elections night @ Sheba Shrine
- May 15.....Kawartha Durham - OIAA Education Day @ Deer Creek Golf Club in Ajax
- May 29 London Claims Association - Trunk Trade Show & Drive-In Movie Night
- May 30OIAA Provincial - Annual Golf Tournament @ Cardinal

JUNE 2025

- June 25 Kitchener Waterloo - Annual Golf Tournament @ Ariss Valley



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'Til Death (or Divorce) Do Them Part

By: Michelle Panagiotakos



How Previously Married Claimants are Treated in the Context of Priority Disputes - the First of a Three-Part Series Dealing with the Definition of "Spouse" in the Insurance Act.

The question of which insurer has priority of, or is liable to pay, an accident benefits claim frequently hinges on seemingly straightforward definitions or legal relationships. However, determining whether individuals fall within the scope of these definitions and relationships is often a more nuanced and complex process rather than a straightforward one. A prime example is determining one's spousal status.

A claimant's spousal status can have significant implications in the context of accident benefits coverage. Consequently, understanding how the Insurance Act (the "Act") defines a "spouse" and how one's spousal status affects their access to coverage is crucial for resolving priority disputes.

Each part in this three-part series will explore one of three definitions of "spouse" under the Act and its implications

for determining priority over accident benefits claims. This first part of the series focuses on the definition pertaining to claimants who have been married and the key principle that applies to them – that once they are a "spouse", they forever remain a spouse, until death or divorce.

But First: What is a "Spouse"?

The Statutory Accident Benefits Schedule (SABS) defines the term "spouse" in the same way it is defined in Part VI of the Act. As such, we look to section 224(1) of Part VI of the Act, which defines a "spouse" as either of two individuals who:

1. are married to each other;
2. have entered into a marriage to each other that is voidable or void, in good faith on the part of the person asserting a right under the Act; or

- have lived together in a conjugal relationship (outside of marriage) continuously for at least 3 years, or in a relationship of some permanence and are the biological or adoptive parents of a child.

The meaning of “spouse” under the Act is clearly much broader than one may realize when they consider the term spouse. It goes well beyond the confines of traditional marriage to include long-term cohabitation and relationships involving children, reflecting the ever-evolving nature of family structures. However, for the purposes of this segment, the focus is on definition #1 – individuals who are married. (Parts Two and Three of this series will deal with definitions #2 and #3.)

Definition #1: “Married to Each Other”

Determining whether a claimant is a “spouse” under any of the definitions in section 224(1) can be a complex exercise, but one would think that being “married” is fairly straightforward. When it comes to accident benefits coverage, it is not.

For a claimant to be “married”, they must have entered a marriage that, as of the time of the accident, has been solemnized and registered in accordance with the Marriage Act. That is, the marriage must be conducted either under the authority of a license, issued in accordance with the Marriage Act, or through the publication of banns. The marriage must then be entered into a register. Only then are the couple considered “married to each other” pursuant to section 224(1)(a) of the Act.

Notably, religious marriages on their own do not meet these criteria. As such, they do not result in two people who are “married to each other”.

Why Does it Matter: Spousal Status in the Context of Priority Disputes

A true appreciation for why spousal status matters for the purpose of priority disputes requires a quick overview of the basics.

Section 268(2) of the Act sets out a specific hierarchy to be followed when determining which insurer is liable to pay an accident benefits claim. At the top of the hierarchy, or first in line to pay, is a claimant’s own insurer. Under this tier, recourse is available to anyone who is a named insured (whether actual or deemed due to regular use of a vehicle), a spouse of a named insured, a dependent of a named insured or of a named insured’s spouse, or a driver otherwise listed/

specified on the policy. If there is no recourse under this first tier (i.e. the claimant does not have their own insurer), the claimant next has recourse against the insurer of the vehicle they were in at the time of the accident (or, in the case of a claimant who was a pedestrian or cyclist at the time of the accident, the insurer of the vehicle that struck them). If there is no recourse under this second tier, the claimant then has recourse against the insurer of any vehicle involved in the accident. And finally, if there is no recourse against any involved vehicle, the claimant has recourse against the Motor Vehicle Accident Claims Fund.

The important takeaway from section 268(2), for the purposes of this article, is that a claimant’s spousal status can put an insurer at the top of the priority pyramid and first in line to pay. It is no wonder then that spousal status is often at the center of disputes between insurers – especially when it comes to “married” claimants.

Separation vs. Divorce: A Key Distinction

Cases involving separated individuals are a prime example of such disputes. They are often wrought with conflict and confusion as to whether the individuals are “spouses” under the Act; the common misconception being that separated individuals are no longer “married to each other” and, consequently, are no longer “spouses”. This is incorrect.

Sections 12 and 14 of the Divorce Act stipulate that two individuals cease to be married to each other when a divorce

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dissolving their marriage is not only granted but takes effect. This typically happens 31 days after the judgment granting their divorce is made, although there are exceptions.

Time and again, arbitrators and courts have relied on this definition in determining when a marriage has ended, if it has ended at all. The consensus is that, even if two partners are no longer living together or maintaining a romantic relationship, and even where there is a separation agreement signed by them, they remain “spouses” for the purpose of section 224(1)(a) of the Act unless or until their relationship has been formally dissolved through divorce. Alternatively, they will cease to be “spouses” when one of them passes away.

Kamstra v. Allstate (1996)

An early example that illustrates this point is *Kamstra v. Allstate (1996)*. In this case, Arbitrator Rudolph had to determine whether a separated spouse was entitled to coverage under her former partner’s policy. He reviewed the definition of “spouse” in section 224(1)(a) and found that it meant that “a couple that are married to each other continue to be spouses of each other until a divorce judgement had been obtained or until death.” Importantly, he noted that, just because a couple is separated at the time of an accident (as was the case in this arbitration), it does not affect their spousal status for the purposes of the Act and the SABS. He ultimately held that, since the couple had not yet divorced prior to the accident, they were still “spouses” under the Act, affirming that spousal status continues until divorce or death.

Certas v. Allstate (2004)

There have been instances in which separating partners have tried to seemingly “contract out” of this; including terms in their separation agreements specifically excluding each other from coverage under each other’s policies. But doing so is still not enough to escape section 224(1)(a).

This was illustrated a few years post-*Kamstra* in *Certas v. Allstate (2004)*. In this case, Arbitrator Malach had to determine whether the claimant was a “spouse” of his former wife for the purposes of the Act, despite having been separated and living apart for 10 years prior to the accident. Notably, the former partners had entered

into a separation agreement at that time which stated that the claimant was effectively removed from their insurance policy; the intention being that the former partners were releasing each other from any and all claims arising out of their marriage. During the arbitration, it was argued that the former partners had “specifically contemplated the issue of automobile insurance”, as evidenced by the term in their agreement, and they were therefore no longer “spouses” under the Act. Furthermore, the claimant had even entered at least one other common law union, resulting in the birth of a child, since his separation from his former wife.

Despite this, Arbitrator Malach concluded that the former partners were still “spouses” for the purposes of section 224(1). They never divorced. Their marriage therefore continued, despite the significant passage of time since their separation, and despite their intention (as indicated in

MEDIATIONS AND ARBITRATIONS



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Paul brings over 50 years of experience in the field of insurance litigation and dispute resolution. He served as a Deputy Judge of the Toronto Small Claims Court for 25 years. The International Academy of Mediators bestowed upon him its highest honour, making him a “Knight”.



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their separation agreement) to exclude the claimant from coverage under his former wife's insurance, highlighting once again that a divorce - or death - is an absolute requirement for a marriage to be considered dissolved.

Conclusion and Key Takeaways

The distinction between separated and divorced individuals evidently plays a significant role in priority disputes involving claimants who have been previously married. Unless a divorce order is issued by a court, a separated claimant is still entitled to accident benefits coverage under their former partner's automobile insurance policy.

This distinction therefore underscores the importance of thorough investigations at the outset of an accident benefits claim since, depending on whether the claimant is a "spouse" of a person insured under another policy (or is dependent on such person's "spouse"), another insurer should very well be handling - and paying - the claim instead.

Careful investigation when assessing spousal status should include:

1. Reviewing the OCF-1 particularly with respect to the 'marital status' section;
2. Conducting an AutoPlus search on the claimant, looking for policies under which the claimant was or is listed, and paying attention to details such as dates of birth and policyholder names that may suggest a marital relationship;
3. Requesting the claimant's tax returns, looking to see whether they are filing their taxes as single, married, separated, or divorced;
4. Requesting the claimant's divorce order (if applicable), and ensuring it was in effect prior to the accident; and
5. Requesting the claimant's attendance at an Examination Under Oath.

A final point: When it comes to individuals who have been married, the case law is clear that arbitrators and courts are reluctant to consider any definition of "spouse" other than what has been legislated; the consensus being that amending the Insurance Act to deal with situations where former spouses have separated and even entered into separation agreements, without divorce, is a job for the Legislature. Unless the Legislature does so, it is unlikely that an arbitrator or court will sway from the Act. Until then, previously married spouses remain "spouses" - 'til death (or divorce) do them part.

Stay tuned for Part Two of this series,

which will deal with the next definition in section 224(1): marriages that are void or voidable.

See *Kamstra v. Allstate Insurance Company and State Farm Mutual Automobile Insurance Company (1996)* (Arbitrator J. Rudolph).

See also *Certas Direct Insurance Company v. Allstate Insurance Company (2004)* (Arbitrator Malach).



Michelle Panagiotakos

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2025 CLAIMS CONFERENCE THANKS TO OUR MANY SPONSORS



Special Awards and Expert Evidence: Vivekanantham v. Certas Direct Insurance Company

By: Sawarn Benning



Overview:

The recent Divisional Court decision in *Vivekanantham v. Certas Direct Insurance Company*, 2024 ONSC 6198 provides important clarification regarding special awards and the interpretation of s. 10 of the Statutory Accident Benefits Schedule, O. Reg. 34/10 ("SABS"). Further, *Vivekanantham* confirmed that the proper approach is to exclude expert evidence where the right to cross-examine that expert has been denied.

The Special Award Power:

Section 10 of Regulation 664 under the Insurance Act provides that if the License Appeal Tribunal ("LAT") finds that an insurer has unreasonably withheld or delayed payments, then the LAT may award a lump sum amount which the person was entitled to at the time of the award. The special award power is in addition to

the exclusive jurisdiction of the LAT to make an award of benefits and interest to which the person was entitled under the SABS.

In this case, the delay of payments arose from the Appellant's Income Replacement Benefits ("IRBs") being reinstated over three and a half years after they were terminated, and the Appellant being removed from the Minor Injury Guideline ("MIG") classification four years after the accident.

The LAT adjudicator found that there was no basis for the special award, without providing further reasons. The reconsideration decision found no error in the initial decision, given that the issues of MIG and IRB entitlement were not before the Tribunal at the hearing.

On appeal, the Divisional Court found that the LAT erred

in refusing to address the special award claim. In reaching this conclusion, the Divisional Court undertook statutory interpretation of the text as well as the context and purpose of the phrase “at the time of the award”.

A plain language reading of the phrase “at the time of the award” excludes a s. 10 award for any benefit settled prior to the date of the award. However, the court held that this interpretation of s. 10 runs contrary to:

1. The qualification of the Insurance Act as both remedial in nature and as consumer protection legislation protecting against bad faith conduct of insurance companies (see 17-006757 v. Aviva Insurance Canada, 2018 CanLII 81949 at paragraphs 13-24; and Stegenga v. Economical Insurance Company, 2019 ONCA 615); and
2. The observation of the special award as a stand-alone (see Ross v. Aviva General Insurance, 2023 CanLII 19823 at paragraph 8; and Stegenga v. Economical Insurance Company, 2019 ONCA 615 at paragraph 22).

Given this discrepancy, the latter interpretation was determined to prevail. Thus, on this issue, the Divisional Court concluded that the LAT erred when it found that it did not have jurisdiction to make a special award.

The Expert Evidence Issue:

The major issue before the LAT was the determination of catastrophic impairment. Both parties relied upon psychiatric expert evidence to assist the LAT in making this determination. While the Appellant’s expert attended and was cross-examined at the hearing, the Respondent’s expert failed to attend the hearing even though they acknowledged receipt of a Summons to Witness that had been properly served. They also failed to deliver an Acknowledgement of Expert’s Duty.

While the LAT adjudicator at first instance indicated that they would weigh the Respondent’s expert report in oral reasons, the decision that was ultimately rendered explicitly relied on that evidence without weighing it. Further, the reconsideration decision found no concern with the initial LAT adjudicator’s process in this respect.

Relying on Shahin v. Intact Insurance Company, 2024 ONSC 2059, the Divisional Court found that even though the LAT did

not rely on the expert’s evidence to support its conclusion, the LAT’s reliance on the report infected the Tribunal’s conclusions. Given this, the Divisional Court concluded that the LAT’s decision must be set aside due to the denial of procedural fairness to the Applicant, and remitted the case to the LAT for a new hearing.

Why it Matters

This case provides important guidance for insurance companies and echoes the warning in J.M. v Certas Direct Insurance Company, 2019 CanLII 94016 (ON LAT) that “[a]n insurer that unreasonably withholds or delays payments and waits to pay the benefits after an application is initiated at LAT may risk an award.” Further, this case provides direction to the LAT with respect to situations in which expert evidence should properly be excluded if such evidence cannot be subjected to cross-examination.

MEDIATIONS AND ARBITRATIONS



MARVIN J. HUBERMAN

LL.B., LL.M. (ADR), FCIArb



Marvin has over 30 years of experience in insurance disputes. He is a former Vice-Chair of the Ontario Commercial Registration Appeal Tribunal, and is the current Integrity Commissioner for several municipalities, and a Certified Specialist in Civil Litigation (LSO).



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Sawarn Benning is an articling student at the firm and author of this blog. If you have a question about this decision or a similar file, please reach out to Sawarn at sbenning@ztgh.com.




Sawarn Benning

Sawarn obtained her Honours Bachelor of Science at the University of Toronto, Mississauga, where she graduated with high distinction. She received her J.D. from the University of Manitoba (Robson Hall) in 2024. While completing her legal studies, she summered at ZTGH in 2023 and has

she was awarded the Best Appellant Factum Award, and the Jessup Moot. She was also involved in student leadership roles as the President of the Robson Hall Mental Health Group, Co-Chair of the Academic Committee, and as the LexisNexis representative at her law school. Sawarn gained an interest in litigation through trial and administrative advocacy courses during law school and her mooting experience. In her free time, Sawarn enjoys painting, reading, listening to crime podcasts, and has recently expanded interest into learning to play the violin and learning sign language.

returned to article.


During law school, Sawarn was involved in the Bowan Moot, where










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Conference Committee Co-Chairs Message



JENNIFER BROWN



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Your support and participation are what make the OIAA Claims Conference a premier event year after year. To our sponsors and exhibitors, your partnership helps us create meaningful experiences and opportunities for our community. To our speakers, your expertise and insights sparked important discussions and inspired new ideas. To our committee volunteers, your hard work behind the scenes made everything run seamlessly.

Events like this don't happen without the collective effort of so many, and we are truly grateful. Thank you for being part of the OIAA Claims Conference, and we look forward to seeing you again next year!

**Yours truly,
Jennifer Brown and Christine Andrews
Conference Committee Co-Chairs**

Welcome to the OIAA 2025 Claims Conference. On behalf of the OIAA Claims Conference Committee, we extend our deepest gratitude to everyone who made this event possible—our attendees, members, exhibitors, sponsors, speakers, and dedicated volunteers.

OIAA

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If you are an OIAA member or know of an OIAA member interested in running for this position, please contact

Terry Doherty at terry.doherty@aviva.com.

Elections will be held on **April 16, 2025**. Go to oiaa.com for details.

The Benefits of Increasing the CICMA Intercompany Arbitration Limit to \$100,000

By: James Carroll



In the evolving landscape of the “business of insurance” in Canada, the Canadian Insurance Claims Manager Association (CICMA) intercompany arbitration process serves as a pivotal mechanism for resolving disputes promptly, efficiently and fairly. CICMA’s recent raising of the arbitration limit to \$100,000 was both overdue and necessary. The prior arbitration limit of \$50,000 served its purpose well, as did previous smaller limits. However, times have changed in the 23 years since the \$50,000 limit was implemented. Business dynamics have become increasingly complex, and transactions are growing in scale and the number of claims below the former limit became less common. This limit increase, which came into effect Sept. 1, is expected to result in improvements that align with current business needs and arbitration practices.

1. Enhancing Efficiency and Reducing Costs

Arbitration is a timely and cost-effective option compared to litigation. However, when disputes involved amounts slightly above \$50,000, many companies chose to resort to

more formal and expensive litigation processes. By raising the limit, CICMA has helped ensure a greater number of disputes will remain within the intercompany arbitration system. This not only speeds up the resolution of claims, it reduces overall costs (including legal fees for all parties, pre-judgement interest, disbursements, etc.) for the companies involved, which can especially benefit smaller insurers or those with tighter budgets.

2. Promoting Fairness and Staff Development in Dispute Resolution

The ability to accept larger dispute values within the arbitration framework helps maintain fairness and will give staff the opportunity to grow and develop. By increasing the limit to \$100,000, the arbitration agreement ensures more disputes can resolve in a fair, neutral setting that is designed to be less adversarial than court proceedings. This adjustment can lead to more equitable outcomes and increased satisfaction with the arbitration process by all signatories.

3. Strengthening Industry Standards and Practices

Increasing the arbitration limit also reflects a commitment to evolving industry standards and practices. As businesses grow and adapt to evolving economic and social conditions, their dispute resolution mechanisms should improve accordingly. The increase aligns with broader trends in arbitration and dispute resolution in the worldwide insurance industry, where higher limits are becoming more common. This positions CICMA as a forward-thinking organization that meets the needs of its members in a modern marketplace.

4. Encouraging the Use of Arbitration

A higher arbitration limit will encourage more companies to utilize CICMA's arbitration process. Technology can be leveraged with the enhanced limit. It is up to the signatory companies and their leaders to ensure the success of the new arbitration limit. By increasing the limit, CICMA will attract a broader range of disputes, ensuring that its arbitration services are utilized more frequently and effectively. Since the arbitrators are usually management volunteers from the signatory companies with many years of claims experience, the message to use the intercompany arbitration process can be reinforced at all levels within an insurer.

5. Supporting Small- and Medium-Sized Enterprises

For small- and medium-sized insurers, the ability to resolve disputes efficiently and cost-effectively is crucial. These insurers often face disputes that are significant to their operations but may not reach the higher thresholds seen in larger corporations. By increasing the arbitration limit, CICMA provides a valuable tool for these companies to address and resolve disputes that impact their business, helping them avoid the financial strain of lengthy legal battles on moderate claims.

Conclusion

There are many benefits because of the increase to CICMA's intercompany arbitration limit. The new limit aligns with contemporary business practices, enhances the efficiency and cost-effectiveness of dispute resolution, promotes fairness, strengthens industry standards, encourages arbitration usage and supports smaller insurers. As the insurance and business environments continue to evolve, such improvements are essential to ensure arbitration remains a relevant, practical and beneficial tool for resolving intercompany disputes.



James Carroll

James Carroll is a general liability claims manager at Travelers Canada. His areas of experience include

Professional Liability, Construction, Environmental, Abuse and National Accounts. James has more than 27 years of experience resolving claims utilizing the CICMA Intercompany Arbitration process. He is a Fellow Chartered Insurance Professional designation and Certified Risk Manager designation.



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2025 CLAIMS CONFERENCE AGENDA AND SEMINAR SCHEDULE



TUESDAY, APRIL 1, 2025

12:00pm – 4:00pm Exhibitor arrival and booth set up

WEDNESDAY, APRIL 2, 2025

10:00am – 4:00pm Trade show floor open

SEMINAR

A

9:30- 10:30 AM

Mastering Catastrophe Response: Key Strategies for Property Adjusters

Presented by: David Mercer

Location

Room 104 A

Max. Capacity

190

“In the wake of catastrophic events, the role of a property adjuster is both critical and challenging. This seminar will equip attendees with key strategies to navigate the complexities of catastrophe response with confidence and efficiency. Topics will include effective capacity management to prevent operational bottlenecks, identifying vendors with proven CAT response capabilities, and setting realistic expectations with stakeholders.

Additionally, the session will emphasize the importance of mental wellness during high-pressure events, offering practical tools to maintain focus, resilience, and professional integrity. From understanding the impact of “the 28th day” to cultivating mindfulness and self-awareness, attendees will gain actionable insights to thrive in the demanding field of catastrophe response”

David Mercer, Vice President, ServiceMaster Restore



David Mercer began his career in the restoration industry with a ServiceMaster Restore franchise in Owen Sound, Ontario, where he gained hands-on experience in the field. His drive and commitment to excellence soon led him to assume roles in project management and branch management in Brantford, Ontario. These positions allowed him to deepen his expertise in operational oversight and team leadership, building a strong foundation for future success.

Seeking to broaden his perspective and skill set, David joined Contractor Connection, where he honed his abilities in performance management. This role was pivotal in developing his capacity to analyze and improve operational efficiencies while maintaining strong partnerships with stakeholders.

In a full-circle moment, David returned to ServiceMaster in 2017, where he embarked on a journey of progressive leadership. Over the years, he has held various strategic roles, each contributing to his growth as an industry leader. His vision, dedication, and ability to foster collaboration have culminated in his current role, where he leads the ServiceMaster Restore Canadian network with a focus on innovation, operational excellence, and strengthening customer relationships.

SEMINAR

B

9:30- 10:30 AM

Lessons in Leadership From Ted Lasso

Presented by: Laura Emmett and Elizabeth Brotten

Location

Room 104 B

Max. Capacity

190

Explore the future of leadership from a unique and entertaining perspective, focusing on how we can apply the leadership approach of the entertaining sports comedy, Ted Lasso, to our workplaces. We will delve into how Ted's "be a good person, respect others, and judge no one" philosophy can help your organization not just survive, but thrive, in changing and challenging times. This presentation will include entertaining examples from Lasso, the fictional English soccer coach, and share the top ten ways organizations can apply Lasso's unique style to build success and satisfaction.



Laura Emmett, Partner, SBA Lawyers

She has a diverse practice where she focuses on bodily injury claims, cyber liability, and privacy law. She is the co-author of an annual publication, "The Annotated Statutory Accident Benefits Schedule." Laura is a Past President of the Canadian Defence Lawyers and was the youngest person to hold the position. Presently, she is a Bencher for the Law Society of Ontario, which governs all lawyers and paralegals in the Province.



Elizabeth Brotten, Partner, Foley Mansfield

Elizabeth Brotten is a Partner in Foley Mansfield's Minneapolis office, a member of the firm's Executive Committee, and chair of the firm's Products Liability practice group. She defends clients in product liability and toxic tort cases throughout the United States. She currently serves as President of the Minnesota Defense Lawyers Association.

SEMINAR

C

9:30 AM - 10:30 AM

No Stone Unturned: Cyber Investigation Techniques

Presented by: Brian Sartorelli and Sarah Bunder

Location

Room 104 C

Max. Capacity

190

A session that delves into the dynamic world of cyber investigations tailored specifically for insurance professionals. In this interactive presentation, we'll uncover the secrets of geospatial OSINT (Open Source Intelligence) and show you how extracted valuable insights from social media accounts to enhance your investigative efforts.

An opportunity to learn from industry experts who will guide you through practical applications and real-world scenarios.



Brian Sartorelli, CPIO-MI, CSO

President and CEO, Investigative Risk Management

Brian Sartorelli has built an illustrious career in providing consultative and advisory risk management and investigative services to Fortune 500 companies on both national and international stages. His expertise was honed through a distinguished career in law enforcement with the Department of National Defense, where he specialized in drug enforcement, undercover operations, and criminal investigations. Brian's career has encompassed major crime and joint forces operations across all three levels of law enforcement agencies. Brian has successfully managed significant investigations, including billion-dollar cases and numerous multi-million-dollar civil litigations for both the legal and insurance industries. His analytical acumen ensures the thoroughness and professionalism of complex investigations, employing major case management principles to oversee large-scale investigations.

A respected figure in the investigative and risk management community, Brian is a prolific public speaker and has delivered keynote presentations at numerous national and international industry events. He designs and conducts seminars across various industry sectors, offering tactical and strategic advice within his investigative specialization. Additionally, Brian is a well-published author, contributing white papers, articles, and publications on corporate risk management and investigative services."



Sarah Bunder, CCII, CSM

Certified OSINT Specialist/Supervisor, Investigative Risk Management

Sarah Bunder is a dedicated OSINT specialist with over a decade of experience in the investigation industry. Throughout her career, Sarah has held various roles, including report writing, video editing, and scheduling, before focusing on open-source intelligence investigations (OSINT).

Sarah's training includes a certificate in Internet for Investigators from the Ontario Police College, obtained through Toddington International. She furthered her education with the York Region Police and under the guidance of Michael Bazzell, a former member of the FBI's Cyber Crimes Task Force.

Continuing her education, Sarah has recently completed courses in Criminology, Forensics, and Python Script. In her role, she conducts online investigations to gather information on claimants' activities for pre-employment checks, due diligence, or insurance claims, ensuring the information is archived using the company's best practices for future use.

SEMINAR

D

10:30 AM - 11:30 AM

Navigating Labor Market Challenges in Restoration with AI and Technology

Presented by: Nelson Higgins

Location

Room 104 A

Max. Capacity

190

This presentation for OIAA Claims Conference 2025 will discuss the current state of the labor market in the restoration industry, wage pressures, and how AI and documentation technologies can help mitigate these challenges. The talk will provide insights on improving efficiency, accuracy, and overall operational effectiveness through technological advancements.



Nelson Higgins, XCT, Vice President, DocuSketch

Nelson is the Vice President, North America at DocuSketch. Prior to DocuSketch, Nelson was the founder and COO of XTR Consulting Inc. His home base is in Halifax, NS, Canada, but he covers projects throughout North America. He currently holds an XCT (Xactimate Certified Trainer) certificate and has held this designation for over 10 years. With more than 35 years experience in the insurance industry from both the contractor and adjuster perspectives. He is experienced in all aspects of scoping and estimating property damages of residential and commercial buildings and has been involved in completing estimates and projects of all sizes through completion. He has gained a vast amount of knowledge on leveraging new technologies to help clients with in depth documentation and the cycle of a claim.

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SEMINAR

E

10:30 AM - 11:30 AM

Designer, Builder, and Municipal Liability in Construction Claims

Presented by: Yasser Korany & Kayla Kwinter

Location

Room 104 B

Max. Capacity

190

The 1992 Building Code Act (BCA), which regulates the Ontario Building Code, provides that it is the role of everyone who “causes a building to be constructed” to ensure that it is constructed in accordance with the BCA, the building code, and with any permits issued for the building. The obvious intent of the BCA is that health and safety are shared responsibilities between designers, builders, and building officials.

Understanding the professional and legal obligations and responsibilities of the various parties at the design, permitting, and construction stages is crucial to determining liability and successfully pursuing remedies when construction does not satisfy health and safety standards. In this seminar, the presenters will explore the potential liabilities of designers, contractors, and municipalities that may arise at each project stage and will share the view of the Canadian courts on the duty of care of the involved parties.



Yasser Korany, KSI Engineering

Yasser Korany is a Consulting Forensic Engineer and the Managing Principal of KSI Engineering, a firm that specializes in investigating property insurance claims and provides construction litigation support.

He is a certified senior member of the National Academy of Forensic Engineers in the USA and has been qualified numerous times as an Expert Witness. Prior to calling Ontario home, he was a Professor of Structural Engineering at the University of Alberta. He was recently recognized with the distinction of Fellow of the Canadian Society for Civil Engineering.



Kayla Kwinter, Torkin Manes LLP

Kayla Kwinter is a Partner in Torkin Manes LLP’s Construction Law and Litigation Groups. She has considerable experience with the Construction Act and has broad experience acting for clients on complex litigation matters, including regular appearances before Judges and Associate Judges of the Superior Court of Justice, Construction Lien Associate Judges, and the Ontario Court of Appeal. She served on the Construction and Infrastructure Law Section Executive of the Ontario Bar Association from 2018-2021.

Emerging Trends and Challenges in the P&C Industry; Insights from Claims Leaders

Presented by: Gianna Aimola – VP Claims, Allstate Canada
 Erik Martensson – AVP, Supply Chain, Property Claims, Aviva
 Andy Dykstra – AVP, Enterprise Fraud & Investigative Services, Co-operators
 Tracy MacDonald – President & CEO, Trillium Mutual
 Joel Bobb (Moderator) - Claims Specialist, Axis Capital

Location

Room 104 C

Max. Capacity

190

A panel discussion about the emerging trends and challenges within the P&C Industry as viewed by Claims Leaders across the industry. Moderated by Joel Bobb of Axis Capital.**Gianna Aimola, Vice President - Claims, Allstate Canada**

With 20+ years in the industry, Gianna leads the claims operation for Allstate Canada, overseeing the strategic and operational direction for the team. Over her career, she has led various multi-year transformational initiatives. Gianna has deep operational expertise, and a track-record of strengthening claims performance, enhancing the customer experience, while improving loss costs and efficiency. She holds a CIP designation, and a Bachelor of Science (Hons) from the University of Toronto.

**Erik Martensson, AVP Supply Chain, Property Aviva**

Erik Martensson believes despite constant and changing headwinds, the Canadian Claims industry can persevere and improve. As AVP Supply Chain | Property, Erik is responsible for managing Aviva's Appraisal and Property Vendor resources. He's spent 20 plus years in the industry, starting on the Property Restoration Vendor side, before moving onto field and leadership roles with Definity prior to Aviva. His work interests include proactive claims management, appraisal, large loss, catastrophe response, mentorship, and vendor partnerships. Passionate about improving organizational outcomes while removing bottlenecks and barriers, Erik is focused on the importance of building cooperative relationships aligning towards positive results. In his free time Erik is a busy father of three and community volunteer through his love for youth sports and activities.

**Andy Dykstra, Associate Vice President - Enterprise Fraud, Co-operators**

Andy leads Co-operators Enterprise Fraud Program and Investigative Services, overseeing fraud and management strategy along with his team's investigations within the property and casualty side of the business. Prior to joining Co-operators, Andy spent several years in a variety of roles related to fraud management. His education background includes a bachelor's degree in political science from Western University and a Master of Management from St. Mary's University.

**Tracy MacDonald, CEO, Trillium Insurance**

Tracy has an extensive background in P&C claims management and leadership. Starting her career as a multi-line claims adjuster 31 years ago and progressing through claims leadership roles with a National Carrier. In her current role, Tracy serves the membership and Board of Trillium Mutual Insurance located in Listowel, Ontario as CEO. She leads the organization focused on protection for Agriculture and Rural members championing the spirit of Mutuality, strategic planning, corporate governance, and stakeholder relations. Tracy holds a Bachelor of Arts degree in Economics from the University of Guelph as well; she is a Fellow Chartered Insurance Professional (FCIP).

When she's not leading Trillium Mutual Insurance, Tracy enjoys the outdoors and spending time with family and friends. Currently in progress, she has a goal to complete the 900km trek of the Bruce Trail.

**Joel Bobb, Claims Specialist, Axis Capital**

Joel began his claims career in 2017 as a Claims Assistant at Desjardins. Since then, he has held various adjusting roles across different lines of businesses such as Accident Benefits, Casualty and Specialty. He joined AXIS in 2024 as a Claims Specialist where he continue to handle Casualty and Specialty Claims. Joel is also a major advocate for the Insurance Industry, this is represented by his involvement in associations such as Ontario Insurance Adjuster's Association, Canadian Association for Black Insurance Professionals and Young Insurance Professionals of Toronto. His work with these associations involves, facilitating outreach to students and young professionals, acting as an ambassador, and organizing networking events.

SEMINAR



11:30 AM - 12:30 PM

Tort Update

Presented by: Ian Gold and Adam Bucci

Location

Room 104 A

Max. Capacity

190

Casualty Update: A Year In Review

Another year has come and gone, and there have been important developments in the case law on a wide variety of issues relevant to the insurance industry. Ian and Adam will discuss their picks for the top 10 insurance cases of the last 12 months(ish) and anticipated trends to keep a lookout for in the future.



Ian Gold is a founding partner of Thomas Gold Pettingill LLP.

Areas of Practice & Experience:

Ian Gold resolves problems for his clients. He is a skillful civil and commercial litigator having extensive trial experience with judges and juries. His practice spans all fields, but emphasizes complex insurance litigation. Ian is also counsel to a number of insurance companies, including some of Canada's largest insurers. He has litigated insurance coverage and bad faith claims, and has defended a wide variety of claims, including motor vehicle accidents, fire losses, construction negligence, product liability, occupiers' liability, municipal liability, slip and fall liability, libel and slander claims, and social host liability. Ian also regularly defends professional liability claims involving architects, engineers and other design professionals.



Adam Bucci is a partner at Thomas Gold Pettingill LLP.

Areas of Practice & Experience:

Adam joined Thomas Gold Pettingill after first gaining a wealth of experience in civil litigation at the Crown Law Office of the Ministry of the Attorney General. Adam's practice at the firm includes defending complex insurance matters involving occupiers' liability, tavern liability, municipal liability, sports liability, product liability, professional negligence, and motor vehicle insurance claims. Adam also regularly represents insurers in first-party insurance claims under CGL and homeowners' policies. Adam has represented clients before the Superior Court and the Divisional Court of Canada.

SEMINAR



11:30 AM - 12:30 PM

A Brief Introduction to Concussions

Presented by: Dr. Jason Swain

Location

Room 104 B

Max. Capacity

190

The presentation will provide attendees with the basic tools to understand head injury cases, and in particular, Concussions. We will discuss the cause of concussions, the severity indices, and the various types of chief complaints that may accompany a mild traumatic brain injury. The attendees will learn about the different types of disciplines that may be required to assess and manage a concussion claim. The purpose of the presentation is to get claims adjusters more comfortable with concussions in general.



Dr. Jason Swain, Hons BSc, MBA, DC, CFE, CICE - President and Chief Operating Officer

Dr. Swain is a member, in good standing, of the College of Chiropractors of Ontario, the Canadian Chiropractic Association and the Ontario Chiropractic Association. He is licensed to practice in the Province of Ontario. Dr. Swain holds an Honors Bachelor of Science Degree from the University of New Brunswick, a Doctor of Chiropractic Degree from the Canadian Memorial Chiropractic College, and a Master of Business Administration Degree from the University of Fredericton. He is a Certified Functional Abilities Evaluator (ARCON) and a Certified Independent Chiropractic Examiner through the American Board of Independent Medical Examiners (ABIME). Dr. Swain has completed Certificate courses in the application of the American Medical Association Guides to the Evaluation of Permanent Impairment. Dr. Swain is the President and Chief Operating Officer for A.R.S. Assessment Rehabilitation Services Ltd., a leading provider of Independent Medical Evaluation services across Canada.

SEMINAR



12:30 - 1:30 PM

The Future of Property Claims Estimating

Presented by: Joel Dagenais

Location

Room 104 A

Max. Capacity

190

Property Claims Estimating is poised for significant transformation, driven by advancements in technology, shifting customer expectations, and evolving industry practices.

Here are the key trends shaping the future of property claims estimating:

- **Automation and AI-Powered Adjusting**
- **Remote Assessments and Virtual Inspections**
- **Data Analytics and Predictive Modeling**
- **Customer-Centric Approaches**

- **Climate Change and Catastrophe Response**
- **Enhanced Collaboration and Workflow Management**



Joel Dagenais, COO - Property Estimating Solutions, Verisk

Joel Dagenais is the Chief Operating Officer for Property Estimating Solutions at Verisk. Joel has over 35 years of experience in the insurance industry. His first experience began in high school as a summer job, as a laborer restoring a fire damaged retail lumber store. Joel went on to be a framing contractor that turned into a successful full-service restoration contracting firm (First General Services) with 17 offices in the province of Québec. Joel's been with Verisk for 21 years which started as a consulting opportunity for the Canadian market.

SEMINAR

J

12:30 - 1:30 PM

A Look Forward: Top 10 AB Cases of 2024 & Important Updates.

Presented by: Andrea Lim

Location

Room 104 B

Max. Capacity

190

Review of the Top 10 AB cases from 2024 and other important updates that may change future handling.



Andrea Lim, Partner, Dutton Brock LLP

Andrea R. Lim, a Partner of Dutton Brock LLP, has practised in the area of insurance defence with an emphasis on first party accident benefits since 2009. Ms. Lim graduated from University of Windsor Law in 2008, and articulated with Dutton Brock LLP. She also received a Master of Arts degree from Queen's University, and her Honours Bachelor of Arts from the University of Toronto, Trinity College. Ms. Lim is currently serving as the President of the Medico-Legal Society of Toronto (MLST) and is a Past-President of the Canadian Defence Lawyers - Legal Association Canada, 2022-2023. She was the recipient of the 2016 Richard B. Lindsay Q.C. Exceptional Young Lawyer Award, and the inaugural Medico-Legal Society of Toronto Dr. Grant Farrow Award in 2021. Ms. Lim has authored various published articles regarding first party accident benefits in Ontario, including "My Beautiful Dark Twisted Fantasy: Combining Physical and Psychological Impairment", Toronto Law Journal, June 2012, and "The Fine Line Between Custodial and 'On Call' Care", Claims Canada, October 2012. She is the Co-Author of the Annotated Statutory Accident Benefits Schedule, an annual text, which is now in its 9th edition, as published by LexisNexis. Ms. Lim has also been recognized on the Best Lawyer Directory since 2023, and 5-Star Insurance Lawyers in 2021.

SEMINAR

K

12:30 - 1:30 PM

Canadian Underwriter's Mental Health Survey Report from the P&C Industry

Presented by: David Gambrill, Editor-in-Chief, Canadian Underwriter
Tammie Kip - Director, Claims Digital Transformation and Chief of Staff to the COO, Allstate Canada & Co-Founder, FIHT (Friends of the Industry Healing Together)
Christina Fuda - Mental Health Training Coordinator, Communications and Public Affairs, Ontario Shores Centre for Mental Health Sciences

Location

Room 104 C

Max. Capacity

190

Last year, Canadian Underwriter conducted its inaugural 2024 survey of mental health in the Canadian property and casualty industry.

As (bad) luck would have it, the survey was conducted during the busiest claims period in Canadian adjusting history, with four major NatCats causing more than \$7 billion in damage in less than a month. Not surprisingly, CU found our industry survey respondents reporting a high state of anxiety.

Many people in our survey said they were reluctant to speak about their mental health concerns with their supervisors or peers, for fear they would appear "weak" or incapable.

Let's talk about that.

Join us our panellists in a seminar to discuss the results of CU's mental health survey. Learn the signs and signals that someone needs help. And discover the resources available for those who seek support in handling a mental health issue.

MODERATED BY:

**David Gambrill
Editor-in-Chief, Canadian Underwriter**

David has been a journalist for more than 17 years, mainly in the trade press. He is now the Editor-in-Chief of Canadian Underwriter, a trade publication serving Canada's property and casualty insurance industry. This is his second time as a senior editor at CU, leading the publication from 2005-2012, and again from 2017 until now.

Over the course of his career, his work has appeared in Law Times, Canadian Lawyer, Occupational Health and Safety (OHS), The Kingston Whig-Standard, Ottawa Citizen, Maclean's, and CBC radio.

He began his journalism career as editor of the weekly community newspaper, The Woolwich Observer. He has a Master's degree in Political Science and a Graduate Diploma in Journalism from Concordia University.

Cont'd...



PANELLISTS:



Tammie Kip

Director, Claims Digital Transformation and Chief of Staff to the COO, Allstate Canada

With 30 years of experience in the insurance, education, and not-for-profit sectors, Tammie Kip is an accomplished professional and Board Member known for expertise in leadership, claims, digital transformation, and organizational redesign. Focused on transformative growth, Tammie uses Human-Centered Design and strategic leadership to drive organizational change and deliver customer-focused products and services. As a published author of *Your Extraordinary Self*, *Developing the Leader Within*, and *Finding Wellness Through Compassion*, Tammie is devoted to helping individuals and organizations achieve results by championing leaders and increasing awareness within one's self and of others.

Tammie chairs the Insurance Institute of Canada's Ethics Committee, is a former council member of the CIP National Society and Past President of the Ontario Insurance Adjusters Association. She's been recognized as one of Insurance Business Canada's Top 35 Most Influential Women in Insurance and is a past recipient of the CIP Society's Emerging Leader Award.

A dedicated philanthropist, Tammie co-founded a mental health not-for-profit, FIHT (Friends of the Industry Healing Together) and served as President and Board member of the Jennifer Ashleigh Children's Charity.



Christine Fuda

Mental Health Training Coordinator, Communications and Public Affairs, Ontario Shores Centre for Mental Health Sciences

Christina Fuda is the Mental Health Training Coordinator at Ontario Shores. With a decade of experience, she has trained thousands of individuals nationwide through mental health workplace training workshops and seminars.

Christina has been invited to speak at several international conferences and has been featured on Breakfast Television and Global News, where she shared her expertise on improving workplace mental health. At Ontario Shores, she has played a pivotal role in establishing partnerships with organizations such as Ontario Power Generation, General Motors, The City of Toronto, The Beer Store, Marine Atlantic, and several colleges and universities, among many others.

She holds a Master's degree in Developmental Neuroscience Psychology and a Bachelor's degree in Psychology. Christina is passionate about using her expertise to educate diverse communities on the importance of creating mentally healthy and safe work environments.

SEMINAR



1:30 - 2:30 PM

Large Loss Evolution

Presented by: Tom Streek

Location

Room 104 A

Max. Capacity

190

Next to liability-type claims, a large loss will cost the most and take the longest to resolve/complete. Whether these claims are caused by wind, water, or fire, the industry is seeing some changes in how they are handled and processed.

Catastrophic losses recently experienced with the Halifax and Jasper wildfires continue to expose various challenges, creating new learning opportunities that can transfer across other boundary lines and claim scenarios.

Due to AI and recent online information, insured policyholders are becoming more aware of best practices and options, which can create unique issues to overcome.

Separate sectors of contractors are beginning to segregate; highly effective emergency restoration contractors are best suited for their specific roles, and large/total loss specialized contractors are being directed to those types of claims accordingly.

Ongoing building code changes and varying engineering approaches create the need to be aware of new pivoting details.

Tom will present a dynamic large loss case study for an in-depth, open forum review to showcase how involved and complex those types of claims are in the industry.



Tom Streek, Chief Executive Officer, Rebuild Response

Tom has over 35 years of construction experience covering commercial and residential projects. Having grown up in his father's prior family business, the longstanding delivery of quality and integrity has been a staple throughout his current province-wide large insurance rebuild company, Rebuild Response Group, and custom home business, Harmony Homes.

With an ongoing passion and insight for teaching/training, Tom inspires students and professionals alike by sharing his experiences, which include the East and West Coast catastrophic loss of wildfires in the past couple of years and countless large losses across Ontario.

Tom leads a strong network of large loss builders within Ontario and is currently developing into the East Coast through a developed franchise model/network to provide some of the best insurance industry service and customer care experiences possible.



Intelligence Tradecraft: Principles for Advanced Investigations

Presented by: Garrett McGinn, Partner

Location
Room 104 B

Max. Capacity
190

The breadth of modern investigations has grown rapidly over the past decade. Traditional social media and background checks, one-crew surveillance and interviews are no longer the only tools at a professional's disposal. More information than ever before is available to the end-users of intelligence and yet traditional investigative patterns have persisted. This has wasted client money, lead to unimaginative investigations with unimpactful results, and has fostered a divide between what clients need and what investigator deliver. Understand how the private intelligence community has evolved via an examination of geospatial and geosocial investigations, device forensics, video and imagery upscaling, international investigations, multi-crew and unmanned surveillance operations and how to leverage these capabilities to maximum effect. Many investigative solutions which are considered "advanced" are far more accessible and affordable than many believe. This session will provide clarity to professionals and improve their understanding of a variety of modern techniques for uncovering and leveraging information.

Specifically, the session seeks to educate the attendee on the four main disciplines of private intelligence gathering: Open Source Intelligence, Geospatial Intelligence, Signals Intelligence and Human Intelligence. By utilizing a more diverse set of tools, the end-user of intelligence enables themselves and their organization to deliver a compelling defense against high-value litigation and threats.



Garrett McGinn, Partner, DigiStream Investigations

Garrett McGinn is a Partner with DigiStream Investigations' R&D Department and its complex investigations company UpStream Intelligence. He has over 17 years of investigative experience and is a Certified Fraud Examiner, a licensed Private Investigator and holds a master's degree in Transatlantic Relations from Jagiellonian University in Krakow Poland, and a bachelor's degree in International Relations from the University of California, Davis. Mr. McGinn trained in advanced surveillance tactics in the United Kingdom, achieving a Level III Advanced Award in Foot & Mobile Surveillance. Prior to his employment with DigiStream in 2006, Mr. McGinn was a Research Analyst for Glass, Lewis & Co., an institutional investment advisory firm.



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7) Plate Search for Owner (ARIS)

8) Police Motor Vehicle Collision (Ministry of Transportation) Report - Public Access

9) Carfax Canada - National Lien Report

10) Police Report - Incident/Occurrence

11) Driver Record Abstract (ARIS)

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16) Plate Search for Owner

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19) Licence Plate History

20) Police Advanced Documents - Motor Vehicle Collision



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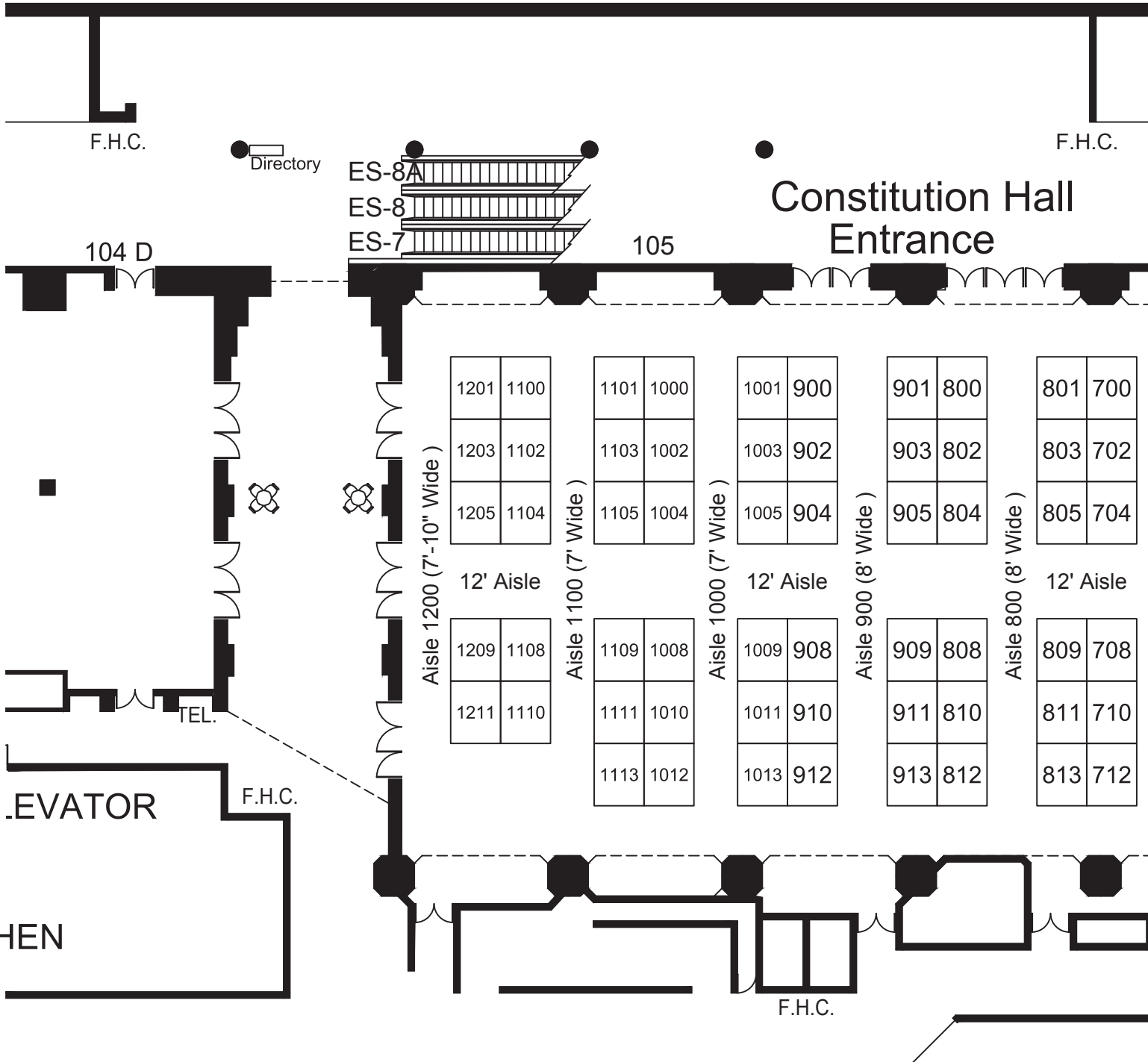
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Brosz Technical Services	504

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AssessMed	713
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Axis Vero Incorporated	902

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30 Forensic Engineering Inc.	1012
CRDN Canada	1013
Encircle Inc.	1100
Roar Engineering Inc.	1101
EMRG Canada	1102
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MyKey Global Accommodations	1104
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WINMAR (Canada) International, Ltd.	1108
Investigative Risk Management	1109
SiftMed	1110
SOMA Medical Assessments	1111
T. Smith Engineering	1113
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Wisedocs	1203
Arbitech Inc. Forensic Engineering, Expert Witness & Construction Claims Support	1205
ClaimsPro	1209
MAG Services Inc.	1211
GardaWorld Security	202 & 204
Kings Restoration Group	210 & 212



Front Street





EXIT STAIRS

EXIT STAIRS

F.H.C.

PRE-FUNCTION AREA

106

107

8'-5"

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703	602
705	604

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605	504

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503	402
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205	104

103
105
107

Aisle 700 (8' Wide)

Aisle 600 (8' Wide)

12' Aisle

Aisle 500 (8' Wide)

12' Aisle

Aisle 400 (8' Wide)

12' Aisle

Aisle 300 (8' Wide)

12' Aisle

Aisle 200 (8' Wide)

12' Aisle

Aisle 100 (8' Wide)

709	608
711	610
713	612

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611	510
613	512

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511	410
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413	312

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313	212

209	108
211	110
213	112

8'

115

F.H.C.

FREIGHT CORRIDOR

TRUCK DOCKS

EXHIBITOR DIRECTORY

Booth #	Company	Contact	Exhibitor Email	Business Phone	Exhibitor Information
1012	30 Forensic Engineering Inc.	Paul Aquino	paquino@30fe.com	416-368-1700	<p>30 Forensic Engineering is one of Canada's largest and most respected multidisciplinary forensic firms, with offices in Vancouver, Calgary, Toronto and Ottawa. Our core team of 80+ professional engineers, experts, investigators, engineering technicians and support staff is enhanced through relationships with some of the top scientists, standard-makers and specialized consultants in North America supporting clients across multiple sectors and industries including:</p> <ul style="list-style-type: none"> ➤ Environmental ➤ Health Care ➤ Hospitality ➤ Infrastructure ➤ Insurance ➤ Legal ➤ Manufacturing ➤ Renewable Energy ➤ Commercial & Residential Property ➤ Construction <p>We provide world-class engineering and consulting expertise in:</p> <ul style="list-style-type: none"> ➤ Biomechanics & Personal Injury ➤ Building & Fire Code ➤ Building Science & Building Envelope ➤ Civil & Structural Engineering ➤ Collision Reconstruction ➤ Construction ➤ Digital Media Analysis ➤ Fire & Electrical ➤ Geotechnical Engineering ➤ Human Factors ➤ Materials & Product Failure ➤ Remediation ➤ Special Investigation ➤ Transportation
305	A.R.S. Assessment Rehabilitation Services Ltd.	Alex Wijnbergen	info@arsi.ca	416-510-2468	<p>A.R.S. is an organization that provides unbiased, Independent Medical Evaluations in Ontario and across Canada. Since its establishment in 1999, the company has remained dedicated to being a leading independent evaluation company in Canada across the insurance, medical legal, and employer-based business segments through the delivery of highest quality customer service and products, professionalism, integrity, transparency, and fairness.</p>
808	Aberdeen Investigations	Bruno Bonazza	bbonazza@aberdeeninvestigations.com	1-800-246-8565	<p>Aberdeen Investigation Inc. proudly stands as the leading provider of investigative services, catering to a diverse clientele that includes the insurance sector, corporations, and government entities across Canada. Our steadfast commitment and unwavering dedication, combined with an exceptional team, guarantee the delivery of unmatched services, underscoring our commitment to our clients. Our team boasts a wealth of experience, unshakable integrity, and a track record of outstanding performance across a wide array of projects.</p>
810	Accident Support Services International Ltd.	Jacqueline Massi	admin@accsupport.com	416-745-3301	<p>Accident Support Services International Ltd. (ASSI) established "One Stop Collision Reporting" in Canada, a partnership between the insurance industry, police, and private enterprise. ASSI has provided professional Collision Reporting Centres since 1994 to provide members insurers with a complete customer service report packages including critical information to triage the claim, allowing for fraud prevention & detection, and reduced claims costs. The creator of CROMS (Collision Reporting and Occurrence Management System) which provides member insurers with customer service report packages securely and in real-time for customer retention. ASSI has provided member insurers with a First Notice of Loss (FNOL) for over 30 years; electronic FNOL available through CROMS.</p>
604	Accomsure ALE Management Solutions	Javier Ibanez	j.ibanez@accomsure.com	343-553-0081	<p>Accomsure manages the short- and long-term ALE requirements on behalf of Insurers by providing time savings, cost savings, and exceptional customer service to policyholders, freeing up adjusters to focus on the claim.</p> <p>Following a disaster, a policyholder's focus on their basic needs can easily and understandably distract adjusters from where their focus should be: managing the claim. Accomsure provides a seamless and pain-free transition for the policyholders to their temporary situation, allowing adjusters time to apply their expertise rebuilding their homes and lives.</p>

EXHIBITOR DIRECTORY

Booth #	Company	Contact	Exhibitor Email	Business Phone	Exhibitor Information
401	AGS Rehab Solutions Inc.	Gina Greco	ggreco@agsrehab.com	647-746-9210	AGS Rehab Solutions Inc. is comprised of a team of experienced and knowledgeable staff who expertly coordinate all of your medical, psychological, functional and vocational assessment needs and diagnostic services in a timely, efficient, cost-effective and customized manner. We have an extensive roster of highly qualified and credentialed assessors, each of whom undergoes an extensive vetting process prior to joining our roster, and provide objective, reliable and high quality reports to insurers, employers, government agencies and law firms across Canada. AGS is a proud women-owned business enterprise (WBE) and our customer-centric focus has made us a trusted partner to our clients since 1999.
203	All Languages Ltd	Frances Adler	Interpreting@alllanguages.com	416-975-4175	At All Languages, we are committed to producing accurate, timely, and secure translation and interpreting services. Whether you utilize one of our skilled professionals or our automated service, we promise to deliver quality translation and interpreting services to meet every budget and every business need.
302	Apollo Cannabis Clinics	Michael Levinson	mva@apolloresearch.ca	1-877-560-9195 Ext. 4	Apollo Cannabis Clinics provides comprehensive Motor Vehicle Accident (MVA) medical cannabis services designed to support patients through their recovery journey. Their specialized program offers free appointments, virtual consultations, and personalized treatment plans tailored to individuals recovering from motor vehicle accidents. The clinic assists patients in obtaining full insurance coverage for medical cannabis treatments, particularly for conditions including chronic pain, PTSD, sleep issues, and anxiety. Patients receive expert guidance navigating insurance processes, prescription fulfillment, and ongoing medical support from healthcare professionals experienced in managing accident-related conditions, ensuring convenient and compassionate care.
1205	Arbitech Inc. Forensic Engineering, Expert Witness & Construction Claims Support	Mina Tesseris	info@arbitech.ca	800-838-8183	Arbitech offers a full range of construction claims services to meet the needs of each individual project: <ul style="list-style-type: none"> ➤ Claim Preparation ➤ Claim Evaluation ➤ Litigation Support ➤ Productivity Studies ➤ Schedule Analysis ➤ Damages Quantification ➤ Cost Estimating and Valuation ➤ Risk Mitigation <p>Our clients rely on our objective technical analysis of schedule and costs, in-depth knowledge of industry standards of practice, and litigation support services. We focus on identifying the root causes of change, delay, acceleration, disruption, and other unforeseen events. Our construction claims specialists conduct site visits, consult with project managers and contract administrators, and review documentation procedures to help reduce construction claims risk. Our forensic engineers can also act as expert witness to provide abbreviated time to resolve and settle your claims. With Arbitech, you will find all your construction claims support and forensic engineering needs met.</p>
1004	Arcon Forensic Engineers	Randy Henderson	randy.henderson@arconforensics.com	437-872-6883	For 60 years, Arcon has been a trusted and respected name in forensic engineering. We've gained this trust and respect by consistently performing un-biased, benchmark quality origin and cause investigations related to property loss and personal injury claims for insurance and legal clients. From mechanical failures to fires and explosions, collision reconstructions to structural damage assessments and electrical malfunctions, we provide complete support from site investigations to expert testimony.
911 & 913	ARS Global Emergency Management	Sabrina Ribeiro	sribeiro@arsgem.com	416-936-3792	ARS / Global Emergency Management is a leader in Disaster Mitigation & Restoration services, delivering comprehensive, value-driven solutions to our clients. With over 65 years of experience, we have successfully serviced some of the most challenging emergencies, providing comprehensive assessments and strategic mitigation plans to minimize displacement to our clients. Our breadth of experience uniquely positions our teams with a contextualized response to each emergency situation, creating effective partnerships with our clients.
713	AssessMed	Colin Miller	colin@assessmed.com	647-202-5199	AssessMed
612	Avacon Property Restoration Specialists	Judy Di Iorio	info@avaconrestoration.com	416-601-3652	Avacon Property Restoration Specialists is an IICRC certified vendor who caters to 24/7 emergency services for water damage, fire damage and wind damage. We have over 10 years of experience in the construction industry and can take care of everything from residential to commercial properties. We are not only available for emergencies! We complete full renovations; interior and exterior as well as property maintenance. We are a one stop shop for all your construction needs.
902	Axis Vero Incorporated	Axis Geffen	info@axisvero.com	647-210-4297	Axis Vero Incorporated is a highly skilled Private Investigation Firm with offices in Ontario, British Columbia, Saskatchewan, Alberta and Europe. For many years we've supplemented other Security and Investigation Agencies throughout Canada in conducting a wide variety of investigations including but limited to HR, Employment Law, Personal Injury, Accident, Insurance, Data Recovery, Digital Forensics and all areas of investigation for all categories of law. We now offer these services directly in addition to our continued support of other agencies.

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804	Bachly Construction - Bolton, ON	Matt O'Brien	mobrien@bachly.com	905-951-3100	Leader in Property Damage and Restoration
912	Baxter Structures	Kyla Baxter	help@baxterstructures.com	416-947-1266	With more than 45 years in the structured settlement industry, Baxter Structures customizes personal injury settlements into tax-free annuities that can help our clients be secure for life. We ensure compliance with Canada Revenue Agency and provide mediation, settlement conference, and pre-trial attendance. All services are provided at no cost and backed by our Corporate Guarantee. Our lifetime customer service ensures that every client has the means to move on. Guaranteed.
605	Belfor Property Restoration	Debbie Brockway	debbie.brockway@ca.belfor.com	416-455-5114	BELFOR is the largest Canadian disaster recovery and property restoration company for residential and commercial properties. We offer more services and solutions for property damage caused by water, fire, storms or mould than any recovery company in Canada. Whether Mother Nature is the cause of your chaos, or maybe a man-made disaster, count on BELFOR Canada.
503	Bell Temple LLP	Kendall Cumming	kcumming@belltemple.com	416-889-4103	One of Canada's Leading Litigation Law Firms
103	Benjee	Kristopher Kalhs	kris@getbenjee.com	519-852-5871	Benjee helps independent adjusters manage content inventory and settlement.
504	Brosz Technical Services	Calvin Trapper	ctrapper@brosz.net	647-202-3011	Brosz Technical Services Inc. are electrical experts who provide a wide range of highly specialized forensic science and engineering, accident reconstruction, testing, commissioning, and technical and scientific services. Our staff of specialists and experts have completed over 7,000 assignments since 1970, ranging from electrical accidents and electrocutions to electrical power system investigation and testing of equipment failures including circuit breakers, motors, switchgear, generators, transformers, appliances, etc.
301	BUILT Property Restoration & Construction Group	Ian Davis-Cox	ian.cox@thebuiltgroup.com	416-457-4950	BUILT Property Restoration & Construction Group specializes in addressing Large Loss, Complex Claims, and Regular Function Losses. Providing comprehensive emergency services for fire, water, and wind damage. With a dedication to service excellence, our skilled team ensures efficient and effective restoration solutions, helping clients recover swiftly from unexpected disasters.
501	CANBILT Group Inc	Cameron Snoddon	cameron@canbilt.com	647-522-2504	Specialized large loss mitigation and restoration contractor
710	Caskanette & Associates Consulting Engineers	Carolyn Winsborough	info@caskanette.on.ca	519-745-5066	Founded in 1998, Caskanette & Associates is a leading forensic engineering firm specializing in a wide array of services tailored to the needs of insurance and legal professionals. Our team provides expertise in property loss investigations, structural damage assessments, fire and explosion cause analysis, accident reconstruction, personal injury assessments, environmental claims, and failure analysis. With offices across Ontario, including London, Kitchener, and Brantford, we deliver high-quality reports and exceptional service to appraisers, adjusters, lawyers, and other industry partners throughout Southwestern Ontario and beyond.
509	CBI Health	Derek Servos	dservos@cbihealth.ca	416-230-6749	CBI Health is Canada's leading community healthcare provider. Our national interdisciplinary network of healthcare staff and professionals is over 2,500 strong, and we continue to find ways to innovate our services to provide better recovery and support for our clients. We are changing how healthcare is experienced.
908	CEP Forensic	David Porter	dporter@cep-experts.ca	647-483-0118	CEP: Clear. Effective. Partners. These three letters say a lot about our approach. When it's time to identify the cause of a fire, accident or failure, our team of professionals act as a real partner. Whatever the situation, our forensic experts draw a reliable picture with complete transparency and without compromise. CEP Forensic is an independently owned, Canadian forensic engineering firm, with over 40 years of experience, more than 135 employees, and over 120,000 investigations completed to date. From our 10 offices from Moncton to Vancouver, we offer services in every discipline from electrical engineering to collision reconstruction. Our experts are devoted to providing our clients with the clearest possible picture of the nebulous circumstances that surround a loss. From one end of Canada to the other, we're determined to help our customers with their technical challenges with discipline and professionalism while remaining accessible and flexible. Get to know us at cep-experts.ca
410	Chomicki Baril Mah LLP	Damian Shepherd	dshepherd@cbmlp.com	780-441-2085	Chomicki Baril Mah LLP is a firm of over 20 insurance defence lawyers with coverage throughout Western Canada and the Territories. We provide defence, subrogation and coverage services spanning a broad range of areas. Voted a Top Insurance Defence Boutique firm by Canadian Lawyer magazine.
1209	ClaimsPro	Samantha Sampson	samantha.sampson@claimspro.ca	647-528-2753	ClaimsPro is an independent adjusting and claims management company that has been working with Canada's domestic insurance market for over 35 years. With offices in every province throughout the country, ClaimsPro provides its clients with local expertise and the resources of a national company.
709	Complex Claims	Ariel Peleg	arielp@complexclaims.ca	416-936-1940	At Complex Claims Restoration, we strive to provide exceptional customer service that exceeds your expectations. We are professionally equipped to handle the intricate and time-sensitive process of restoring residential and commercial properties after a disaster.

EXHIBITOR DIRECTORY

Booth #	Company	Contact	Exhibitor Email	Business Phone	Exhibitor Information
1105	Core Integrated Health Resources Inc.	Danny Stirpe	danny@coreihr.com	905-850-1155	Core Integrated Health Resources offers a full spectrum of independent medical assessments and diagnostic testing to its clients nationwide.
201	Crawford & Company (Canada) Inc.	Jennifer Morassutti	marcomm@crawco.ca	416-788-3305	Crawford Canada boasts an extensive team exceeding 1,000 professionals, including field adjusters, technical adjusters, contents specialists, repair estimate experts, lawyers, accountants, engineers and more. Operating from nearly 40 offices nationwide, our diverse and skilled workforce embodies depth and expertise. We work closely with our clients by partnering with them to develop solutions that are tailored to their business needs and focused on their success. Our comprehensive approach allows us to deliver unparalleled claims management solutions for any type of claim.
1013	CRDN Canada	David Bonnar	david.bonnar@crdn.ca	226-218-7461	CRDN helps home and business owners pick up the pieces after a disaster. As a leader in contents restoration, CRDN serves as part of the emergency response team. We work with insurance representatives and contractors to restore their customers' possessions and peace of mind after a fire, flood, storm, or other insured loss event.
1009	CRU Group	Brad Smith	info@crudadjusters.com	416-492-4411	Founded in 2004, CRU GROUP provides loss adjusting, claims management and staffing solutions for the Property and Casualty industries across the United States and Canada. CRU GROUP also offers specialty claims administration through Maltman International and is a member of the Context International global adjusting network. Insurance educational and accredited continuing education services are offered through the Group's Academy of Insurance Adjusting (AIA). The Group's Head Office is in Toronto, Canada. The U.S. Head Office is in Dallas, Texas.
610	CVE Inc.	Tim Macmillan	tim@cve.ca	613-237-7368	CVE Inc. has been providing unparalleled services to the disability community, employers, insurance providers, worker compensation boards, and government ministries since 1993. We specialize in providing employment, disability and claims management services necessary to either resolve disability questions or secure long-standing employment success. CVE Inc. takes pride in its community programs, clinical services and its staff.
800	Davis Martindale	Adam Gianotti	agianotti@davismartindale.com	519-673-3141	Davis Martindale is a nationally recognized forensic accounting firm specializing in insurance claims and litigation, providing expert analysis for accident benefits, tort claims, business interruption, and other financial disputes. With deep expertise and a reputation for precision, we help clients navigate complex claims with confidence.
1011	Delta Investigations Inc.	Joe Cabral	info@deltainvestigations.ca	905-495-8282	Delta Investigations is a full-service investigation company that provides its clientele with a wide range of investigative services, including surveillance investigations (primarily for tort claims, accident benefit claims and catastrophic injury investigations), security, compliance, cyber and open-source intelligence, witness statements, recorded interviews, process serving, skip tracing, background checks, financial checks and corporate investigations.
609	Direct IME Corp.	Sal Ismail	sal.ismail@directime.ca	416-609-3211	Direct IME is an industry leader in providing Independent Medical Examination, Functional Capacity Evaluations and Vocational Assessment Services. The reputation that Direct IME strives to maintain is one of excellence, flexibility and dependability in providing Independent Medical Examination and related services to property & casualty insurers, law firms, group disability insurers, employers and government agencies. Our services are available throughout Canada. Regulatory compliance and oversight authenticated by independent third-party auditors assures clients of the integrity of our process controls. Our national coverage with local focus is unparalleled in our industry. We have been facilitating comprehensive, unbiased, objective, and evidence-based medical evaluations and file reviews since 2003.
205	Discovery Group of Investigators Limited-DGILTD	Frank Pascoe	frankpascoe@dgitd.com	647-569-9193	As our existing clients can attest, we are meticulous and dedicated in our investigative endeavours. We believe that a successful outcome depends upon a continued validation of discovered information throughout the investigative process. Together with our targeted approach and the ability to adapt, it is understandable that we maintain an unmatched success rate for our clients. Each investigation is unique and is treated as such. We are conservative and cost effective.
900	Distinctive Engineering Inc.	Michael LeBlanc	mleblanc@deicanada.com	416-624-2943	DEI and DEI Forensics provide expert services in environmental engineering and fire forensic investigations, project management and remediation.
700	DKI Canada	Adam Tzarik	adam.tzarik@dkl.ca	416-270-5065	DKI Canada is Canadian-owned and operated with offices from coast to coast, offering emergency mitigation and restoration services, including water, fire, and wind damage, mould remediation, asbestos abatement, and contents restoration. With industry-leading service standards, we go above and beyond to help your clients get back to normal.
802	Docusketch	Juhi Desai	juhi.desai@docusketch.com	786-206-8459	The industry standard in 360° claim documentation, delivering a proven 25%+ reduction in operating costs for residential claims and over 50% for commercial claims. Our tools for visualization, documentation, sketching, and consistent estimating enhance property claim transparency, reducing cycle times by up to 47 days. Our work with one of the top 10 carriers resulted in annual savings of \$35 million.
613	Dyer Brown LLP	Claudia Cappuccitti	cc@dyerbrownlaw.com	416-622-4300	Dyer Brown LLP offers a broad range of legal services in all areas of the law. Our comprehensive experience provides clients with the necessary knowledge to navigate through today's complex legal and business environments.

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502	EFI Global	Kevin Burgher	kevin.burgher@efiglobal.com	902-456-1899	Our 33,000+ colleagues are located across 80 countries, allowing us to offer services designed to keep pace with the evolving needs of our clients and consumers. We bring many unique solutions to clients across industries and around the world. As we align our broad resources and emerging capabilities to the possibilities of our markets, this list will continue to grow.
104	Element Forensic Engineering	Ron Wilkovesky	events@elementfe.ca	289-795-2995	At Element Forensic Engineering and Element Consulting Services, our seasoned experts bring a diverse mix of skills in forensic investigations, design, and claims adjusting. We specialize in delivering timely, reliable, and innovative solutions to tackle your unique challenges. As a leader in the forensic industry, we simplify the claims process by conducting thorough building assessments, collaborating with adjusters, appraisers, and contractors to define the structural and architectural scope of repairs. Our expedited, full-service approach includes immediate site assessments, precise on-site measurements, and the preparation of engineered (sealed) drawings to meet municipal permit requirements. Our masonry division excels in identifying and sourcing matching materials, providing innovative solutions even when a match seems unavailable. We work closely with local municipalities to ensure compliance with permit regulations, streamlining the approval process for our clients. With an unwavering commitment to excellence, Element Forensic Engineering & Element Consulting Services set the standard for forensic analysis, claims support, and engineering solutions.
803	Emergency Security Management	Brett Burke	brett.burke@xpera.ca	416-526-1750	Emergency Security Management (ESM) provides industry leading security services for insurance providers, restoration companies, property owners, fire services and the Office of the Fire Marshall to secure post loss fire sites providing site security, safety, continuity and chain of custody. ESM maintains close relationships with fire services, cause and origin investigators, adjusters, and brokers providing true 24/7/365 fast response, usually within two hours for most metropolitan areas
1102	EMRG Canada	Mark Sebastianutti	marksebastianutti@emrg.com	1-844-344-3674	EMRG Canada - Elite Mitigation Restoration Group is an elite professional association of certified insurance restoration contractors that provide industry-leading property damage mitigation and repair services. Local Values. National Response.
1100	Encircle Inc.	Paul Donald	marketing@encircleapp.com	888-937-1077	The Encircle platform makes it easy for property restoration and claims professionals to document and report the complete story of a loss by capturing data with photos, videos, notes, floor plans, moisture data, and much more.
115	Encompass Medical Experts Inc.	SHELLEE VAN DER VINNE	shellee@encompassmedical.ca	437-655-6931	Encompass Medical Experts Inc. provides quality Independent Medical Examinations across Canada to Auto Insurers, Employers, Life and Health Carriers, Government Agencies and Medical Legal Communities.
603	Envista Forensics	Lucas Querengesser	lucas.querengesser@envistaforensics.com	437-928-8748	Envista Forensics provides multi-disciplinary forensic consulting services to insurance, legal and commercial clients. Our forensic engineers and expert witnesses in Canada provide failure analysis, fire and explosion investigations, digital forensics, accident reconstruction, building and construction consulting, geotechnical engineering, damage evaluations, and equipment restoration services following disasters of all kinds.
909	First General Services	Angela Veri	angela.veri@firstgeneral.ca	416-804-9700	First General, a Canadian owned company, has been a leading choice for emergency and restoration services for over 40 years. Our clients include insurers, municipalities, government agencies, property management firms and property owners. Through our affiliate sharing agreement, and with a compliment of over 2,000 Team Members and over 20,000 pieces of equipment in stock across Canada, each First General affiliate has access to an unlimited supply of equipment and workforce. We perform much of our work with "in house" trades to ensure quality and provide operating flexibility. Our Teams have completed IICRC courses and other relevant certifications such as Disaster Recovery Management in basic and advanced restoration techniques, including water, fire, smoke, mold, health and safety, environmental, advanced commercial drying, specialized document drying, project management, trauma, and chemical clean up. We also have senior project managers who have achieved IICRC Master Certification. In addition to the local resources, First General Corporate has resources readily available and in reserve to assist the First General Network and provide support to help accommodate property owners needs during BAU, catastrophic, environmental, and complex/large losses.
513	First Response Environmental 2012 Inc.	Grace Dattomo	grace@first-er.com	905-741-2472	Operating throughout North America, First Response is the largest full service and best equipped privately held company providing Structural Restoration, Remediation and Environmental Emergency Services to residential, private and public sectors.
309	FOCUS Assessments	Maureen Reath	mreath@focusassessment.com	416-451-0566	Focus Assessments provides objective, independent medical evaluations with results every party can count on. We provide these services nationally, by a team of professionals that have experience with many different industries, and understanding the unique requirements and regulations that can apply to each region, resulting in the provision of independent evaluations that provide the information necessary to assist clients, claimants and employees to return to full and productive lives in an expeditious manner.

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202 & 204	GardaWorld Security	GardaWorld Security	imane.al-echcheikh-el-alaoui@garda.com	1-514-281-2811	GardaWorld Security recognizes the diverse needs of insurance providers across various claim types, including accident benefits, bodily injury, life, fidelity/bond, disability, and auto/property claims. With our seasoned experts, we provide efficient and cost-effective investigative solutions tailored to your mandates. We also offer a full range of security system solutions, including water leak detectors and mobile surveillance units, to help safeguard assets and enhance risk management.
812	General Insurance OmbudService	Bruno De Sando	bdesando@giocanada.org	1-416-299-6931	GIO provides free and impartial help "independent from the insurance industry" for your home, automobile and business insurance disputes.
602	GUS	Lisa Bono	lisa.bono@gus.ca	416-346-0096	GUS Group is a national franchise organization and leading provider of fire and water damage clean up and reconstruction services for residential and commercial policyholders.
1008	Hudson Restoration	Hudson Restoration	nick@hudsonrestoration.com	905-634-6855	Hudson Restoration is Canada's leading boutique disaster restoration company, providing eco-friendly remediation, restoration and reconstruction services, specializing in luxury residential and commercial properties.
701	HVE Healthcare Assessments Inc.	Brian LeDrew	brianl@hvehealth.com	905-264-2020	Since 1994 HVE Healthcare Assessments has been a Canada wide leader in the provision of Independent Healthcare Assessments. We are unwavering in our dedication to our customers with a focus on providing impartial, defensible and timely assessments and reports. We manage the entire life cycle of an assessment with scrupulous detail to ensure the highest quality report is produced within our customers required timelines.
811	Icon Global Inc.	Tim Boodram	tim@iconglobalconsulting.com	416-543-0558	Icon Global Inc. provides expert consulting services focused on supporting insurance companies and partners relative to the property damages. Our services include property damage quantum/scope, environmental consulting, and forensics.
200	iGUIDE	Victor Trinh	vtrinh@planitar.com	437-993-6076	iGUIDE is a technology company that offers innovative solutions for the insurance and restoration industry. With the new iGUIDE PLANIX R1 camera system, you can document, measure and estimate faster than ever before! Utilizing a 360° LiDAR, it captures a property's layout, size and condition in minutes. Receive an accurate sketch (ESX), a 3D virtual walkthrough and property data. With no monthly costs, flexible file formats and less time spent on-site, it's ideal for any claim.
611	Insurance Institute	Aman Sambhi	asambhi@insuranceinstitute.ca	416-520-6396	The Insurance Institute is the premier source of professional education and career development for the country's property and casualty insurance industry.
813	Integricon Property Restoration and Construction Group Inc.	Matthew D'Silva	matthew.dsilva@ipcg.ca	416-520-7561	Award-winning, corporately-owned Property Restoration and Construction company with branches across Ontario & Alberta.
1109	Investigative Risk Management	Vicki Watson	vicki.watson@irmi.ca	705-503-5544	Investigative Risk Management (IRM): Your Trusted Partner in Investigation IRM is one of Canada's premier investigative agencies, expanding its reach across Canada and clients nationwide. Our team combines unparalleled knowledge, skills, and expertise that set us apart from other private investigative firms in the market. At IRM, we are committed to delivering exceptional service that not only meets but exceeds expectations. Our focus on quality and professionalism is unwavering, and we pride ourselves on maintaining a foundation of integrity that informs every action we take. Whether you're seeking an insurance investigation, intelligence Led surveillance, or a comprehensive background check, our experienced professionals are equipped to handle a wide range of investigative needs with precision and discretion. We understand that each case is unique, and we tailor our approach to ensure the best outcomes for our clients. Come see us at booth 1109 to learn more about how IRM can support your investigative needs and discover the difference that a dedicated and principled team can make. Experience the IRM commitment to excellence firsthand, your trust is our top priority!
512	ISB Global Services	Michela Magliocco	stephen@isbglobalservices.com	1-800-609-6552	ISB Global Services (ISB) is a trusted provider of background checks, compliance services, driver qualification systems, insurance technology (insurtech), insurance-related documents, and insurance-specific investigative services for small, medium, and large-sized institutions.
400	J.S. Held	Sami Shaker	sami.shaker@jsheld.com	416-977-0009	J.S. Held is a global consulting firm providing technical, scientific, and financial expertise across all assets and value at risk. We provide a comprehensive suite of services, products, and data that enable clients to navigate complex, contentious, and often catastrophic situations. In Canada, we have about 200 experts in every province in the field of accident reconstruction, building consulting, contents & inventory, builder's risk, forensic engineering, forensic accounting, construction and surety.

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704	King International Advisory Group Inc.	Jeremy King	jking@kinginternationalgroup.com	416-628-6877	King International Advisory Group is a results-driven investigation and intelligence gathering agency that uncovers important facts for our legal, corporate, finance, regulatory body, and government clients. Our insurance investigations team has a proven track record in assisting both Property & Casualty and Life & Health insurers with assessing the quantum value of their claims. Whether it's determining the extent of an exaggerated claim or simply setting accurate reserves, we can assist you in making a more informed decision. We work closely with Claims Examiners, SIU Units and Legal Advisors to strategically develop comprehensive investigative solutions enabling you to reach a more accurate settlement decision. Our investigations are PIPEDA compliant and adhere to the strictest industry guidelines and self-imposed standards.
210 & 212	Kings Restoration Group	John Esteves	john.e@kingsrestoration.ca	647-919-5452	Kings Restoration, your premier choice for large loss mitigation and restoration in Canada. We take pride in being one of the country's leading restoration contractors, with a proven track record of excellence and customer satisfaction. At Kings Restoration, we understand the importance of swift and efficient restoration services in the face of natural disasters, accidents, or unforeseen damage. With our team of highly skilled professionals and state-of-the-art equipment, we specialize in handling large loss projects with precision and care. Our commitment to quality and customer service sets us apart in the industry. We work closely with our clients to assess their needs, develop customized solutions, and deliver results that exceed expectations. Whether it's fire damage, water damage, mold remediation, or any other restoration service, Kings Restoration is here to help you every step of the way.
809	KPMG LLP	Patricia MacLeod	patriciamacleod@kpmg.ca	905-618-2739	As the leading national specialist in insurance claims quantification, KPMG's Personal Injury Loss Accounting practice is dedicated to assisting insurance companies and defense or plaintiff counsel to quickly and equitably quantify losses in the areas of: Accident Benefits, Tort, Economic Loss and Financial Dependency.
910	Larrek Investigations	Nathan Peters	npeters@larrek.com	416-557-0638	Larrek Investigations offers a broad range of professional services, from surveillance investigations for insurance companies, background investigations for HR departments, due diligence investigations for corporations, interviews and research for law firms, and many other forms of investigations. We work with many types of businesses, helping them grow and ensuring that they are well-positioned to make informed decisions based on our results. We use the latest in modern technologies within our industry, providing our clients with the best quality results and service possible. We believe that we are a leading-edge company in this industry. We are results-driven, continually putting the client's needs first and delivering a superior product, which exceeds industry standards on a consistent basis.
208	Laser Ablator Inc.	Brett molson	brett@laserablator.com	416-709-5284	Laser Ablator is a family-run business based in Mississauga, Ontario, specializing in advanced laser cleaning and restoration services. Utilizing pulsed laser systems from P-Laser, a leading industrial laser developer, they offer environmentally friendly, consumable-free solutions for various applications.
209	Leda Restoration & General Contracting	Johnny Natrella	jnatrella@leda.ca	416-622-5051	Leda Restoration & General Contracting is an independent, family-owned Canadian business specializing in restoration and general contracting services. We offer 24/7 availability, prompt response, proactive mitigation techniques and tailored project scopes to optimize time, resources and cost efficiency.
1211	MAG Services Inc.	Florjan Gazidede & Florjan Hoxha	info@magroup.ca	647-561-8087 647-803-5250	At Mag Services Inc., we provide exceptional restoration and renovation services for residential and commercial projects. With years of experience, we specialize in disaster recovery, structural repairs, and custom renovations, ensuring the highest standards of craftsmanship and attention to detail. Our team is dedicated to using the best materials and techniques to restore and enhance your space. Whether handling emergency restoration or upgrading your property, Mag Services Inc. is your trusted partner for reliable and innovative solutions.
905	McCague Borlack LLP	Karen Snyder	ksnyder@mccagueborlack.com	416-860-8368	With over 75 lawyers strategically located in 5 offices throughout Ontario, McCague Borlack LLP provides litigation, alternative dispute resolution and subrogation services to the Insurance industry.
601	MDD Forensic Accountants	Ed Szaniawski	eds@mdd.com	416-366-4968	Tracing its roots back to 1933, MDD is one of the world's top forensic accounting firms specializing in business valuations, shareholder disputes, and economic damage quantification calculations. In 2024, MDD became a part of Davies. In situations such as business disputes, natural or man-made catastrophes, business interruption, fraud or defective product recall, MDD can help by accurately determining the value of harm or injury that has been inflicted on a person or property. With forensic accounting professionals in over 40 offices on 5 continents, MDD has global resources to assist our clients with their forensic accounting needs. Our work spans more than 130 countries and 800 industries.
311	MEA Forensic	Jahvanna Ryan	jahvanna.ryan@meaforensic.com	647-459-4776	MEA Forensic has been providing expert engineering services since 1982 and has investigated more than 50,000 cases across North America. Each office is staffed with licensed professional engineers and scientists who are experienced at analyzing evidence, preparing concise reports of their findings, and providing testimony at arbitration, deposition, and trial.

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600	Mitchell Partners Investigation Services	Jeff Moss	j.moss@mitchellpartners.com	416-576-5728	Celebrating 30 years in business and excited to have completed our SOC 2 Type 2 certification. A great milestone!
500	MKA Canada Inc.	Catalina Tamayo	ctamayo@mkainc.com	403-532-8662	MKA Canada Inc., a multidisciplinary construction consulting firm, provides creative solutions to the Construction, Legal, Surety and Insurance industries. Recognizing the unique needs of each Client, our professionals utilize extensive industry experience and diverse skills to devise customized solutions. Our Cost Estimators, Construction Managers, Schedulers, Roofing Consultants, Thermographers and Water Restoration Consultants form a highly skilled team delivering a broad spectrum of quality services and integrated solutions to our Clients worldwide.
1104	MyKey Global Accommodations	Shane Kartz	info@mykey.com	1-306-657-0416	MyKey is a tech-enhanced full-service accommodation client and vendor management solution for both short term and long term accommodations anywhere life or business takes you. MyKey is a single source for every accommodation type. Whether you are an insurance professional, business travel planner, relocation counsellor or individual looking for your next vacation spot. MyKey offers more housing options faster for less. Current Products & Services: Product and services include a tech-enhanced accommodation booking platform linking hospitality professionals, peer-reviewed, fully-vetted vendor network, and prospective guests. MyKey is an invaluable easy-to-use resource for emergency hotel reservations, furnished apartments, independently owned and operated corporate housing options, and custom housing solutions.
904	Newtron Group	Melissa Somji	Claims@newtrongroup.com	905-458-1400	Newtron Group provides loss-related equipment cleaning, restoration, damage assessment, equipment restoration consulting, and technical project management services for risk management and claims professionals nationwide. We specialize in losses involving commercial, industrial, manufacturing, medical, high-tech, and IT equipment and machinery. Proud to serve Canada for over 20 years. On duty 24/7/365.
1003	Northwood & Associates	Jim McNamee	jmcmnamee@northwood-pi.com	416-444-4610	Northwood Investigations has delivered actionable investigation intelligence to the Property & Casualty insurance since 1988. Our national platform, broad services and SIU senior staff provide a reliable and timely service known to our client base for over three decades.
409	NYRC	Daniella Guerriero	Daniella@nyrc.ca	416-497-4477	Serving Canada's IME Needs
1002	Origin and Cause	Mark Ste Marie	mstmarie@ocig.com	416-428-0214	Origin and Cause has been a trusted leader for over 35 years, providing cross-disciplinary engineering and forensic expertise to insurance companies, law firms, independent adjusters, manufacturers and corporate risk managers. Our team has completed over 30,000 investigations all across Canada and throughout the United States.
300	Pario Engineering & Environmental Sciences	Yvonne Quigley	Yvonne.quigley@pario.ca	416-677-9423	Pario Engineering & Environmental Sciences assists clients with understanding the root cause of system, material, building failures, and environmental losses, and documents liability determination, subrogation opportunities and remediation. We are a multi-disciplinary team of Electrical, Mechanical, Material, Chemical, Environmental and Civil Engineers performing Forensic Engineering services and supporting the consumer, commercial, and insurance industries. Our team of Geologists, Project Managers, and Environmental Scientists provides full-service environmental consulting, specializing in emergency spill response and management, site assessment, contaminated site remediation, hazardous materials identification and management, peer review and subrogation support. We provide our clients with options, costs, timelines, implications and recommendations for remediation to assist in selecting the most appropriate approach to file closure.
308	ParioQuantify	Justine Cioci	justine.cioci@parioquantify.ca	289-383-1306	Cost Audit Review and Cost Control Timely, independent, and accurate cost assessment for any emergencies or repairs, anywhere, anytime. Quantify can provide a thorough review, analysis, and comprehensive report of recommendations for all costs associated with a claim or project. Residential & Commercial Appraisals Objective, third-party appraisals of any size property loss involving Residential or Commercial properties. Catastrophe Events Using our national team of industry specialists, Quantify provides catastrophe claim assessments quickly and accurately, ensuring that your customer's timelines and expectations are met at all times. Conflict & Dispute Resolution If a discrepancy occurs during the claims process, Quantify provides unbiased, third-party appraisal, mediation, arbitration, and expert witness support to identify the problem and resolve it. Contents Valuation Our Contents Valuation Specialists provide the accurate information needed to properly assess a contents claim.
408	Paul Davis Restoration	David Corvers	david.corvers@pauldavis.com	416-299-8890	Paul Davis Restoration is a leading property restoration franchise in Canada, offering expert residential and commercial services in emergency response, restoration, and reconstruction. With over 60 locally owned franchises, we deliver high-quality solutions and exceptional customer care across the nation, ensuring your property's swift recovery.

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705	Pinchin Ltd	Neil Butler	info@pinchin.com	1-855-PINCHIN	Pinchin understands your need for timely, cost-effective, and defensible guidance on your environmental and building-related claims. We provide fully qualified professionals, utilizing proven technologies and methods, through our network of international experts and local resources. We provide expert timely services at your doorstep.
405	Premiere Suites	Premiere Suites	insurance@premieresuites.com	1-888-809-9274	With over 25 years of experience, we specialize in providing immediate temporary housing across Canada for policyholders affected by disasters like floods, fires, and storms. We understand the urgency of these situations, and our National Insurance Program offers adjusters an exclusive, all-encompassing service. As the only provider with nationwide coverage, we accommodate any length of stay, ensuring personalized, prompt support for both adjusters and policyholders, with end-to-end solutions tailored to their needs.
413	Pricewaterhouse Coopers LLP	Zainab Walji	zainab.walji@pwc.com	416-815-5099	As an insurance industry leader, we offer strategic assistance to many of Canada's top insurance companies as well as to policyholders to help them effectively resolve claims. Our insurance claims services team delivers cost-effective solutions to clients faced with claims ranging in size from simple, local files to complex, multi-million-dollar claims. Our forensic accountants are dedicated to delivering exceptional service to clients by: producing timely, accurate and defensible calculations, driving reduction in overall claim cycle time adding value through streamlined reporting, enhanced technology adoption and sharing best practices providing expertise, geographical reach and flexibility to serve you how and where you need us. Our team specializes in accident benefits, bodily injury and commercial claims. We tailor our services to meet your unique needs and offer a range of products to accomplish this.
412	Progress Investigations	Ryan Spillett	ryan.spillett@progressinvestigations.ca	902-499-5799	Progress Investigations is a national investigations firm with management and investigators in BC, AB, ON, NB, PE, and NS. Since 2008, we have served insurers, the legal community, corporations, and government bodies by providing a full suite of investigation and claim loss mitigation services. Our services come with top-quality customer service, reporting, and communication while maintaining the highest standards of data protection.
702	Pronto Cleaners	Hoa La	hoa@prontocleaners.ca	416-742-3432	Environmentally-friendly restoration services for fire/smoke/water damaged garments/items. Our technology and toxin-free process utilize the most effective, advanced cleaning techniques. Warehouse capacity facilitates all claim sizes.
505	PuroClean Canada	Josh King Maria Di Marco	marketingteamca@puroclean.ca	877-261-7876	PuroClean is a Canadian-owned and locally operated property damage restoration business. We aim to restore your property as thoroughly and with as little disruption as possible. Our "rescue" work ethic earned PuroClean the reputation of being known as "The Paramedics of Property Damage". With a network of over 300 offices, PuroClean touches the lives of people in communities throughout Canada and the U.S. by providing 24-hour property emergency restoration services. When property damage occurs, PuroClean is driven to provide an unmatched service experience quickly, professionally, ethically and with compassion, resulting in peace of mind for all concerned.
1000	R. J. Shirer & Associates Inc.	Bob Shirer	bob@rjshirer.com	416-460-4605	Forensic Engineering, Fire Investigation, Accident Reconstruction, Property Loss Investigations, Building Science and Permits, Slip & Fall, Failure Analysis, Litigation Support, and Expert Witnessing.
608	Rapid City Transportation	Nicole Godin	nicole@rapidcitytransport.com	647-771-7495	Non-emergency transportation.
105, 107	Rebuild Response	Tom Streek	info@rebuildresponse.com	1-800-390-4902	Rebuild Response is a team of reputable local builders specializing in comprehensive reconstruction services for residential and commercial properties that have suffered significant fire, water, or wind damage. With extensive building experience, our team excels in estimating, demolition, engineering, and rebuilding with Tarion New Home Warranty™ ensuring a seamless restoration process. Trusted by the insurance industry since 2010, we are committed to delivering high-quality workmanship and timely results. Our dedication to transparent communication and client satisfaction has solidified our reputation as a reliable partner in large loss scenarios. Discover more about our services and how we can assist you at www.rebuildresponse.com
510	Red Flag Alerts	Julie Dumouchel	info@isbglobalservices.com	1-800-609-6552	Red Flag Alerts is a secure, web-based platform that helps fleet managers and insurance underwriters streamline driver compliance. By centralizing the ordering, collection, and analysis of key driver abstract data in an easy-to-use platform, Red Flags compares driver abstract data against company compliance rules, to effectively identify driver violations, license class, endorsements and restrictions issues.
1005	Relectronic-Remech Inc.	Jay Sutherland	claims@relectronic-remech.ca	1-800-465-9473	Since 1992, we have been perfecting our damage recovery methods to better serve the needs of insurers and contractors. We recover electronic and mechanical devices in both the residential and business sectors. Water damage, fire or any other accident causing heavy losses can severely damage electronic and mechanical equipment. Fortunately, our two divisions "residential and business" are ready to restore mechanical and electronic equipment such as computers, household appliances or machinery.
404	Rimkus	Michael El-Khoury	michael.el-khoury@rimkus.com	437-961-6759	Rimkus has over 40 years of experience providing clients with forensic expert services to opine on claims that need a bit more clarity to resolve.

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1101	Roar Engineering Inc.	Michael Rochon, P. Eng., Consulting Engineer	michaelrochon@roarengineering.com	1-844-235-8565	We are a cohesive, multi-disciplinary team of engineers and support staff. Our experts are experienced industry leaders who use current scientific theories and technology to form every engineering opinion we provide. We have proven court experience and can litigate with confidence knowing our opinions are based on science and factual evidence. The best method of measuring quality is to review the reported court decisions that are found here. Previous founders of Rochon Engineering Inc, Michael Rochon and Vincent Rochon have been investigating forensic incidents for more than 50 years combined and are recognized Canada wide by insurance and legal professionals for their unbiased and relentless pursuit of truth, meticulous investigative techniques and proven track record. Our team of experts have been mentored and coached to provide our clients with the same high quality service that Mike and Vince are renowned for.
805	SBA	Lisa Armstrong	larmstrong@sbalawyers.ca	416-679-2781	SBA Lawyers is a different kind of law firm. Established in 2018, our firm specializes in civil litigation and insurance, including bodily injury, general liability, accident benefits, property claims, construction, subrogation, insurance coverage and fraud/special investigations. With 24 lawyers, in three offices, we are able to serve clients effectively across Ontario. Diversity is not an initiative at SBA Lawyers, it is part of our identity. From inception SBA has been a female-majority partnership. Together we decided to forge a new path of collaboration, respect and equality, a path that we proudly pursue together with a diverse, talented, and impressive team of lawyers and staff. This unique direction has led us to a culture of openness, honesty, cooperation, and genuine care for each other and our clients. We are determined to be a different type of law firm where we foster authenticity and collaboration.
304	ServiceMaster Restore	Erin Stockman	estockman@smrestore.ca	289-556-5402	With over 70 years of experience, ServiceMaster Restore is your trusted source for full-service restoration services in Canada. Our experts are ready to respond to all your needs, 24/7. We mitigate damages quickly to reduce loss severity for residential and commercial properties following fire, water, vandalism, natural disasters and more.
310	Servpro Canada HQ	Barbara Staring	bmstaring@servpro.com	249-989-6011	24/7 Emergency Response "Preferred Vendor for Storm and Water Damage Insurance Claims" As an agent or adjuster, you have a responsibility to provide excellent service to your customers. We share that same commitment. "Our Results Give You a Competitive Advantage" For more than 50 years, SERVPRO® has built a solid reputation as a leader in fire and water cleanup and restoration. We're committed to your customers by acting with urgency to restore their property and their lives while adhering to IICRC standards, resulting in lower claims costs, a low loss ratio, and satisfied customers for improved policyholder retention.
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Government Support Programs may impact awards for past loss of income

By: Isabel Cox



Introduction

In *Ferreira v Hopper* (2024 ONSC 5385), the Ontario Superior Court of Justice found that Canada Emergency Response Benefit ("CERB") and Canada Recovery Benefit ("CRB") payments were deductible from a damages award in tort for past loss of income.

In this case the plaintiff sustained soft tissue injuries in a motor vehicle collision which prevented him from returning to work for an extended period. At trial, the jury awarded the plaintiff \$100,000 in damages for past loss of income. However, while he was off work, Mr. Ferreira received \$14,000 for CERB and \$5,000 for CRB. To determine whether these pandemic-related benefits were "in respect of an incident," and therefore deductible, the Court turned to section 267.8(1) of the Insurance Act. That section governs the deductibility of collateral benefits from awards for income loss or loss of earning capacity. While the Court ultimately held that these pandemic-related payments were deductible, this decision demonstrates the mutability of collateral benefits in tort law and the importance of the plaintiff's evidence.

The facts

On October 24, 2017, Mr. Ferreira was involved in a motor vehicle collision and sustained soft tissue injuries to his neck, back, and lower back. As a result of these injuries, Mr. Ferreira testified that he was unable to work from the date of the accident, October 24, 2017, until September 2019, and again from November 2019 until May 2022. During this period, Mr. Ferreira also collected a total of \$19,000 in CERB and CRB payments. The Court considered whether these payments, intended to address pandemic-related income loss, should be deducted from Mr. Ferreira's award for income loss due to his collision-related injuries.

Plaintiff's counsel argued that Mr. Ferreira's CERB and CRB payments should not be deducted because they were not made "in respect of an accident." The defendant

argued that the purpose of CERB and CRB was paramount: because these programs shared the same purpose as the income loss award, they should be deducted.

The legal framework

Section 267.8(1)2 of the Insurance Act governs whether collateral benefits that were received or may in future be received should be deducted from tort damages for income loss or loss of earning capacity. To establish that a collateral benefit is deductible, the defendant must establish that Mr. Ferreira received CERB and CRB "(1) 'for income loss or loss of earning capacity'; and (2) that they were 'in respect of an incident'" (para 10).

The role of the plaintiff's evidence

Mr. Ferreira's evidence regarding the nature of his income loss was central to the Court's decision. Mr. Ferreira maintained that his absence from work was due to the injuries he sustained during the motor vehicle collision. The issue of deductibility turned on whether the CERB and CRB payments could be understood to be "in respect of an incident."

The Court's decision

Ultimately, the Court found that the CERB and CRB payments were "in respect of an incident" and, therefore, deductible. Although the plaintiff's evidence supported a finding that his absence from work was due to his collision-related injuries, he nonetheless received CERB and CRB payments. As stated by the Court (paras 28 – 29): "To be eligible for the CERB the Plaintiff must have experienced a reduction in hours or stopped working due to COVID-19 as opposed to any other reason, including disability caused by the motor vehicle accident. To continue to receive the CRB, he must represent that he did not quit his job or reduce his hours voluntarily on or after September 27, 2020, unless it was reasonable to do so, again due to COVID-19. In other words, to qualify and maintain eligibility for these benefits, the Plaintiff must have been otherwise able to work during the period for which benefits were available. At no point during trial did Mr. Ferreira concede that any portion of his absence from work was due to any reason other than his inability to work because of the car accident. Given his evidence at trial, he cannot now reframe his theory of income loss post-verdict to avoid deductions."

Conclusion

Ferreira raises important questions about the relationship between tort law, statutory deductions, and the evolving nature of collateral benefits that replace income. The Court's reliance on the plaintiff's consistent evidence about the

nature of his work absence framed the legal issue as one of the deductibility of government benefits, rather than a factual dispute about the cause of his income loss. While the Court found that the CERB and CRB payments were sufficiently tied to the plaintiff's income loss, the Court acknowledged that these payments were not directly related to the motor vehicle collision. Accordingly, the Court expanded the scope of what constitutes a payment "in respect of the incident" within the meaning of section 267.8(1)2 of the Insurance Act.

Isabel Cox is an articling student at the firm and author of this blog. If you have a question about this decision or a similar file, please contact Isabel at icox@ztgh.com.



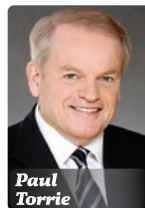
Isabel Cox

Isabel received her J.D. from the University of Windsor, Faculty of Law. Before law school, Isabel earned a Bachelor of Arts Honours in English literature and art history from Queen's University and a Master of Arts in English from Dalhousie University.

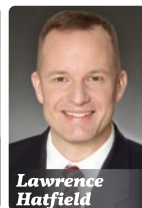
During law school, Isabel competed at the Wilson Moot where her team received the award for third place facta. Isabel also worked as a caseworker at the Class Action Clinic where she helped class members navigate complex settlement claims processes. She also volunteered with Pro Bono Students Canada and worked closely with a non-profit organization to develop recourses for public legal education.

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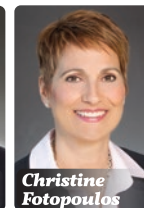
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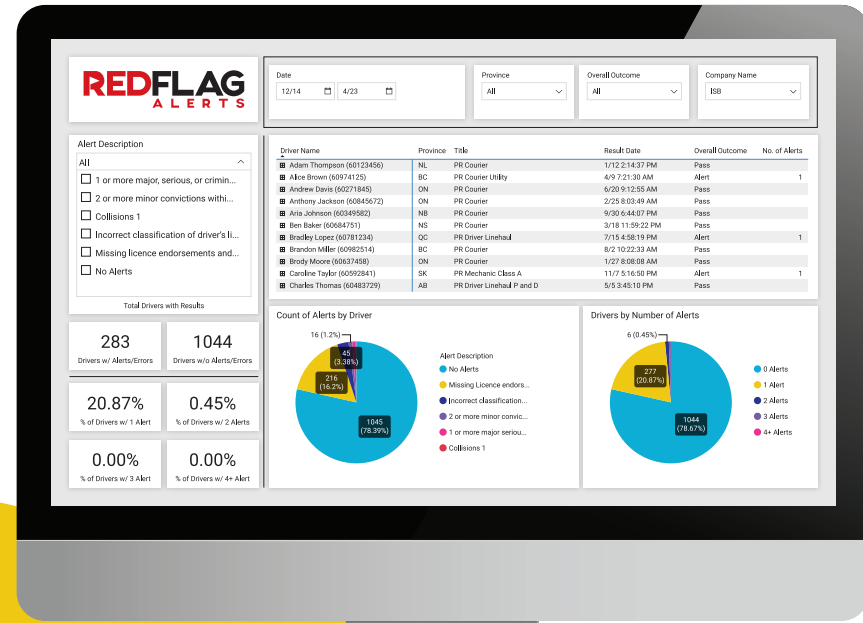
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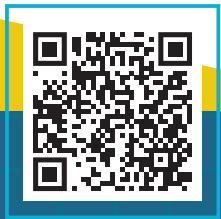


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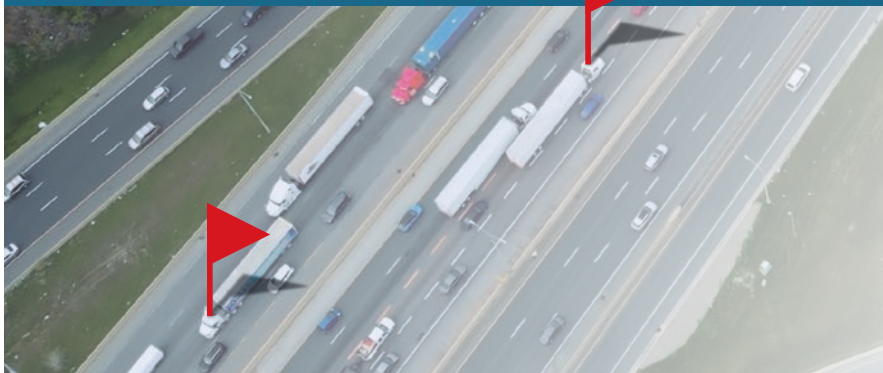
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Subrogation of Fire Losses Involving Multi-unit Buildings

By: Y. Korany



Concrete block fire separation between townhouse units (Photo credit: Y. Korany)

Building code requirements for fire protection were developed based on the lessons learned from disastrous fires in the 1900s that exposed major deficiencies in the design and construction practices, particularly the extensive use of combustible materials, resulting in large fatalities during fire incidents. Among the major incidents that shaped current building codes are the 1927 Laurier Palace Theatre fire in Montreal, the 1942 Coconut Grove Night Club fire in Boston, and the 1946 LaSalle Hotel fire in Chicago.

This article discusses the main requirements for fire separation and protection for multi-unit buildings that fall under Part 9: Housing and Small Buildings of the Ontario Building Code (OBC) defined as fewer than three storeys in height and smaller than 600 m² in area. The concept of fire resistance rating and the difference between a fire separation assembly and a firewall are explained. The article can help insurance professionals determine compliance with the OBC main fire protection requirements and assess the potential for subrogating the fire losses of single and mixed occupancy multi-unit buildings.

Fire Safety

One of the paramount objectives of the OBC is ensuring an acceptable level of safety to the public during a fire incident. Safety is greatly enhanced when occupants are immediately notified of the fire by an alarm system and are given enough time to escape the building through visible and easily accessible exit corridors. The fire-related public safety requirements of the OBC is intended to reduce the probability that, as a result of the design or construction of a building, a person in or near the building will be exposed to a high risk of injury caused by a fire or the spread of a fire; the collapse of structural elements due to a fire; the failure of fire safety systems; and the delayed or impeded

rated element. Of these three ratings, the Fire-Resistance Rating is the most frequently referenced by Part 9 of the OBC. Fire-Resistance Rating is defined as the time in minutes or hours that a building material or assembly can withstand the passage of flame and heat during a standard fire under specific test conditions. Similarly, Fire-Protection Rating is the time in minutes or hours that a closure of an opening, like a door or window, can withstand the passage of flame and heat during a standard fire under specific test conditions. To delay the onset of collapse, structural assemblies must satisfy minimum specified fire ratings. Furthermore, to delay the spread of fire from one occupancy to another, fire rated assemblies are required for walls and floors that separate different types of occupancy

Table 1: Different types of fire rating (reproduced from Article 1.4.1.2 of the 2012 OBC)

Rating Type	Definition
Fire-Resistance Rating	The time in minutes or hours that a material or assembly of materials will withstand the passage of flame and transmission of heat when exposed to fire under specified conditions of test and performance criteria or as determined by extension or interpretation of information derived from that test and performance as prescribed in the OBC.
Fire-Protection Rating	The time in minutes or hours that a closure will withstand the passage of flame when exposed to fire under specified conditions of test and performance criteria or as otherwise prescribed in the OBC.
Flame-Spread Rating	An index of classification indicating the extent of the spread of flame on the surface of a material or an assembly of materials, as determined in a standard fire test prescribed in the OBC.

exit from the building to a safe place during a fire. A building must be protected from significant damage by fire, that is, a building must remain standing long enough for the occupants not to get injured by collapsing floors and walls while fleeing from the fire. Therefore, one of the main requirements of the OBC is to reduce the probability that, because of its design or construction, a building or adjacent buildings will be exposed to high risk of damage in a fire incident before occupants have had time to escape. This is achieved through mandating that critical building components meet minimum fire ratings.

Fire Ratings

The OBC adopts three types of rating as defined in Table 1: Fire-Resistance Rating, Fire-Protection Rating, and Flame-Spread Rating. If an element of a building meets the minimum fire-resistance rating or fire-protection rating requirements of the code, that element is described as a fire

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Table 2: Fire resistance ratings for structural members and assemblies (reproduced from Article 9.10.8.1 of the 2012 OBC)

Major Occupancy	Maximum Building Height (Storeys)	Minimum Fire Resistance Rating by Building Element (minutes)		
		Floors Except over Crawlspace	Mezzanine Floors	Roofs
Residential (Group C)	3	45	45	-
All other occupancies	2	45	-	-
	3	45	45	45

(e.g. an office space adjacent to a warehouse), or different suites of the same occupancy (e.g. an apartment building).

One of the fire safety requirements is that loadbearing elements, including roofs, floors, columns and walls must survive a fire long enough for the occupants to safely escape the building. Therefore, the OBC specifies minimum fire-resistance ratings for the different structural members that depend on the height and type of occupancy of the building. For example, the OBC requires floors to have a minimum fire-resistance rating of 45 minutes as summarized in Table 2. The OBC further

requires all loadbearing walls, columns and arches to have a fire resistance rating equal to or higher than that required for the floor or roof assemblies that they support.

To ensure that fire does not rapidly spread from one unit of a building to another, the interior walls between the units must withstand the fire long enough to allow occupants to escape and fire services to respond. These walls are known as fire separation assemblies, act as barriers against the spread of fire, and must have a minimum fire resistance rating. Different classes of occupancy, or individual units within the same class of occupancy, must be separated by a fire separation assembly with adequate fire-resistance rating. For example, in an apartment building, the stairs and corridors must be separated from the residential units by fire separations.

Figure 1 illustrates the minimum fire-resistance ratings for

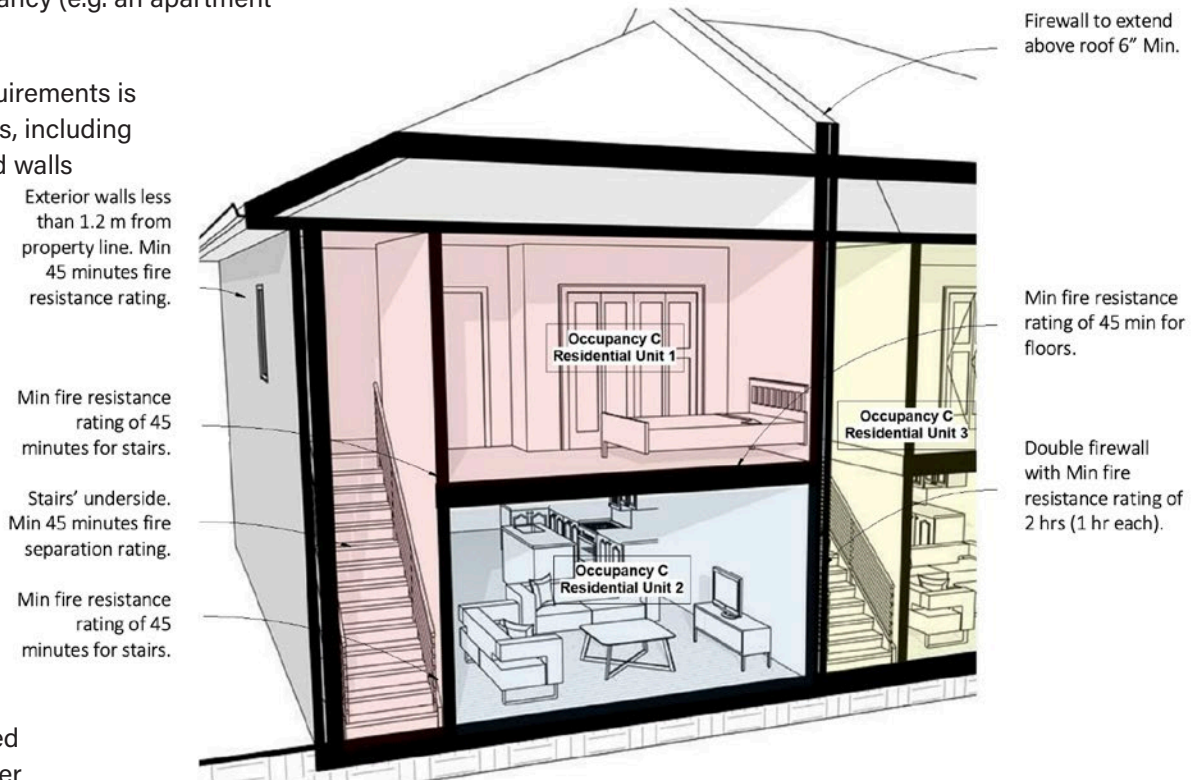


Figure 1: Fire separation and protection requirements for a multi-unit 2-storey townhouse (drafting credit: BM Architectural Design)

the separation of residential suites in a townhouse. The minimum fire-resistance ratings for separating the units of a mixed occupancy building are illustrated in Figure 2.

Fire rated walls and floors slow the spread of fire only if openings, such as windows and doors, are fire-protected, otherwise fire could rapidly sweep across different rooms of the same building through unprotected openings. Therefore, in addition to requiring minimum fire-resistance ratings for walls, floors, roofs and other structural components, the OBC also requires closures to meet minimum fire-resistance ratings as part of the fire separation and protection strategy. It is of note that the fire

separation requirements for walls, roofs, floors, and closures do not apply to detached single family dwelling units except when a secondary suite is created.

Firewalls

A firewall is a special type of fire separation assembly commonly constructed of non-combustible materials that subdivides a building or separates adjoining buildings to prevent the spread of fire and smoke and remain intact under fire conditions for the required fire-rating time, even if part of the building collapses. Party walls are generally required to be firewalls, but continuous fire separations with at least one hour fire-resistance rating are permitted for row houses. Firewalls can also be used to subdivide a larger building into what may be considered as separate smaller buildings that fall within the scope of Part 9 of the OBC. Until the 2005 edition of the National Building Code of Canada (NBC), all firewalls regardless of the required fire-resistance rating were required to be constructed of concrete or masonry. The 2005 edition of the NBC permitted firewalls having a fire-rating of not more than 2 hours to be constructed of other materials. Firewalls are required to maintain the fire-resistant rating from the ground level to the roof or parapet top.

A firewall is the ultimate defense against the spread of fire. It must be able to withstand the impact of a fire and prevent further fire spread by containing it to one side of

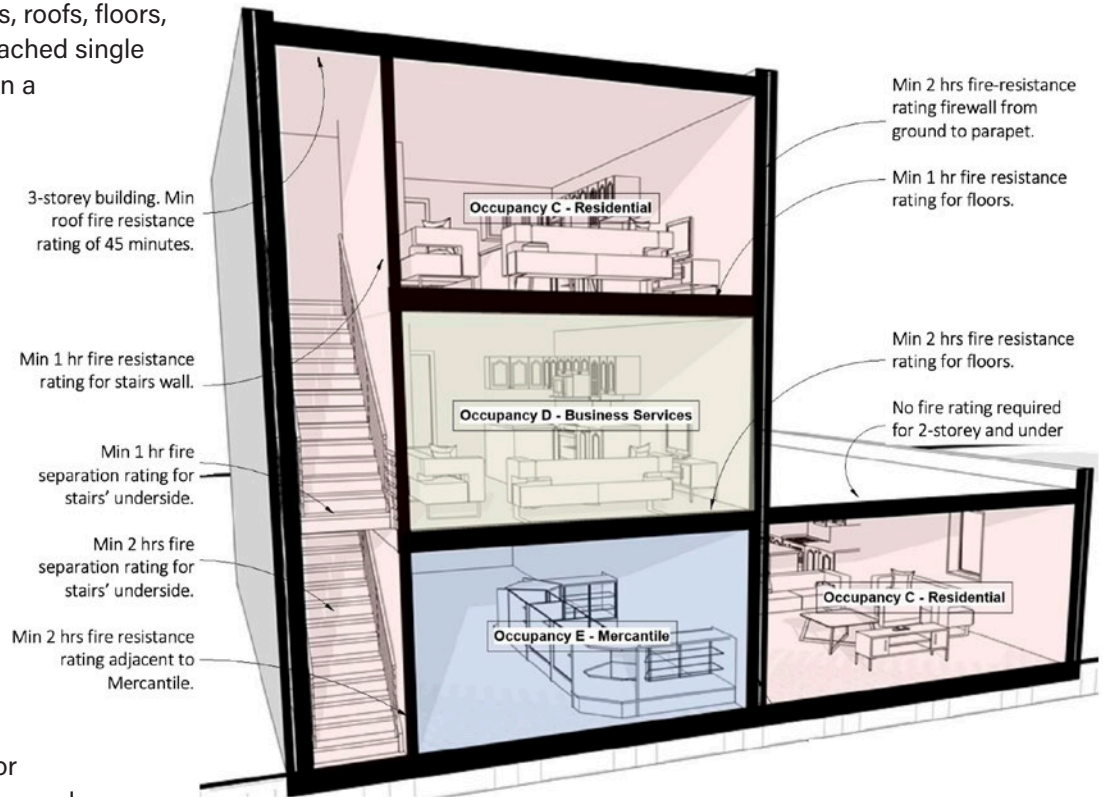


Figure 2: Fire separation and protection requirements for a 3-storey mixed-use building (drafting credit: BM Architectural Design)

the wall until the fire burns itself out or is extinguished. If a fire were to occur on one side of a firewall, collapse of the building or of a portion of the building on the fire-exposed side of the firewall must not cause the firewall to collapse or otherwise fail within the code-required fire-rated time assigned to that firewall. Where connections cannot be detailed to guarantee that the firewall will not collapse, the firewall needs to be constructed of two separate walls (termed a double firewall) that are structurally independent, each having a fire-resistance rating of at least half of that

Table 3: Comparison between firewalls and fire separations

Category	Firewalls	Fire Separation Assemblies
Fire Resistance Rating	Minimum 2 hrs. At least 4 hrs for buildings containing highly combustible or hazardous materials.	Minimum 45 min or 1 hr depending on number of storeys and type of tenancy, owned or rented.
Construction	Non-combustible construction only	Both combustible and non-combustible construction.
Termination	Extend above combustible roof decks by at least 150 mm.	Below roof deck if tightly filled with mineral wool or non-combustible material and caulked at the sheathing.
Location	Between different buildings.	Within the same building.
Structural Integrity	Remain intact if structure on one side collapses in fire.	No stability requirement.

required for the firewall. The intent is that even in a severe fire incident causing collapse of part of a building, a firewall will remain standing to prevent the spread of the fire. Table 3 provides a summary of the main differences between a firewall and a fire separation assembly.

Subrogation Potential

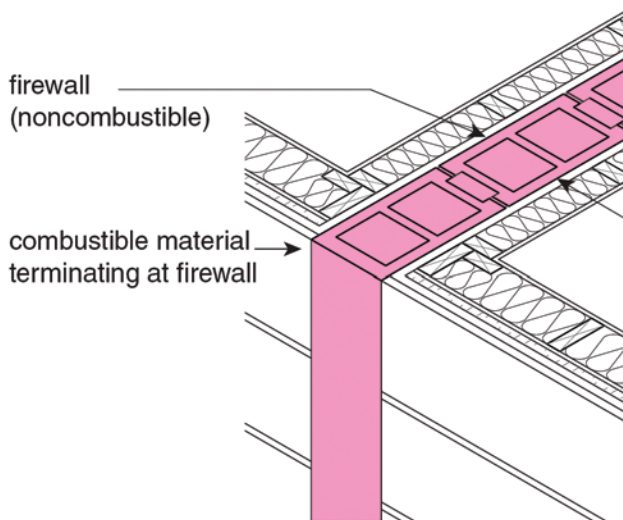
There are several scenarios that create strong potential for a successful subrogation of fire losses involving multi-unit buildings. While fires can and do start accidentally, the spread and impact of a fire incident depends on whether the building complied with all OBC fire protection requirements at the time of the fire incident. For instance, renovating and reconfiguring multi-unit buildings may result in some fire separation assemblies not being fully reinstated or having reduced fire resistance ratings. Another situation for potential subrogation can arise when the use of a unit changes resulting in changing the occupancy class without upgrading the existing fire-resistance ratings for floors and walls to what is required for the new occupancy. For example, while 45 min fire rating is sufficient for the floors of a multi-unit residential building as shown in Figure 1, the rating requirements for floors in a mixed-use building are higher ranging from 1 hr between residential and business occupancy to 2 hrs above mercantile occupancy as shown in Figure 2. Fire separation assemblies must extend through the attic space and be tightly sealed to prevent flames and smoke from travelling between units. However, this requirement is not always achieved during construction.

Design errors and deficient construction and/or detailing of firewalls can create opportunities for subrogation. For instance, constructing a single loadbearing firewall where

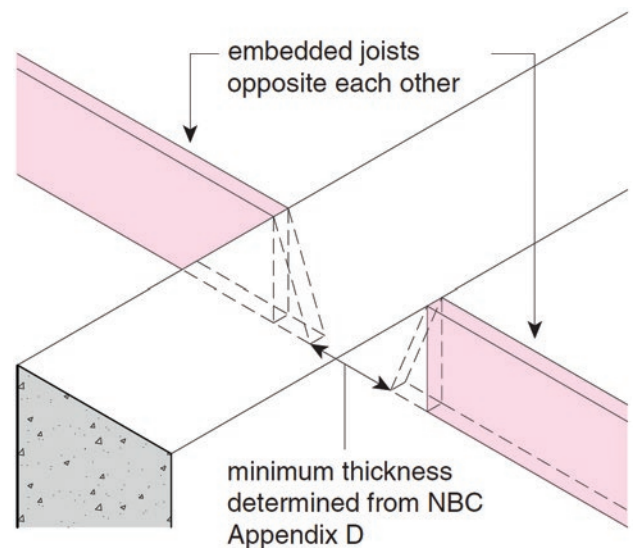
a double firewall was required can result in the collapse of the firewall which impedes firefighting efforts, allows fire to spread to adjacent properties, and expands the extent of the damage. As illustrated in Figure 3(a), building codes require firewalls to extend past exterior walls constructed of combustible materials. Allowing wood framed exterior walls to continue across the end of a firewall creates a fire bridge between the buildings on either side of the firewall which in essence defeats the purpose of a firewall. The ends of joists and beams supported by a loadbearing firewall must be slanted (fire-cut) as shown in Figure 3(b) so that their collapse during fire does not trigger the collapse of the firewall. In addition, a minimum thickness must be maintained at the location of joist/beam pockets to ensure that the required fire resistance rating is met. These are important details that are sometimes missed. Site alterations during original construction or subsequent modifications may result in larger openings in a firewall than permitted by the OBC which requires the total area of openings in a firewall not to exceed 11 m² with no single dimension exceeding 3.7 m. Additionally, the OBC requires the total width of openings not to exceed 25% of the entire length of the firewall.

Closure

The primary objective of the fire protection requirements in all building codes is to prevent the collapse of buildings in the event of fire and to limit the spread of fire throughout the building or to other buildings long enough for occupants to escape and for fire services to respond. Fire protection is especially important in buildings with multiple residential units or multiple occupancies to ensure life safety for all occupants.



a) Combustible exterior walls terminate at the firewall



b) Thickness at pockets for the support of joists or beams

Figure 3: Requirements for firewall construction and detail (adapted from NBC 2020 Illustrated User's Guide)

While fires can and do start accidentally, the spread and impact of a fire incident depends on whether the building was equipped with all the code mandated fire protection measures. Absent or inadequate fire separation assemblies and firewalls that do not satisfy the structural requirements are a few examples of design errors and/or deficient construction that if not detected during the permitting or inspection phases can have grave consequences during a fire event.

A careful review by a seasoned professional of the building's records maintained by the authority having jurisdiction including the plans, inspection field reports, and general review of construction reports, combined with the examination of the as-built construction may reveal negligence on the part of the designers, contractors, and/or the building officials during the original construction or subsequent alterations. It is prudent to explore possible subrogation avenues in fire losses which remain the costliest type of loss for the insurance industry.

References

1. *2012 Ontario Building Code. O. Reg. 332/12.*
2. *Illustrated User's Guide - NBC 2020: Part 9 of Division B, Housing and Small Buildings.*

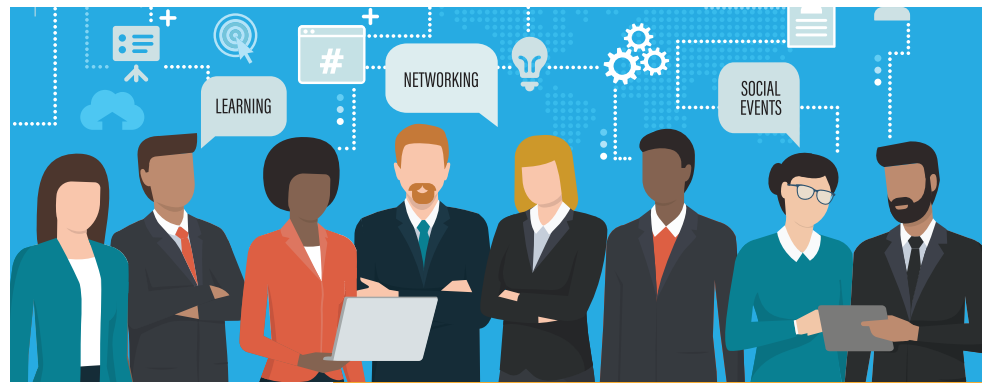
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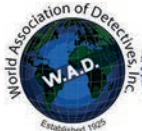


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