



# The Capital News

Insurance Institute of Ontario—Ottawa Chapter  
Fall 2012

Insurance Institute

E-Volume 2, Number 7



## From the “Chair”

Carson Cook, CIP

As I commence my fifth year on Ottawa Chapter Council, I am looking forward to the opportunity to serve as Chair for the coming year.

I begin my term at a time when our local chapter is in great health. I would like to acknowledge Bob Norman, CIP our immediate past chair, for his excellent work during his tenure in that position on Council, and I am grateful he is remaining on Council for the coming year.

**Carson Cook, CIP**  
Chair, IIO - Ottawa Chapter

I want to take this opportunity to acknowledge the departure of two long serving Council members, Monique Oliver, FCIP CRM CAIB, and Fred Van Dine, FCIP. Both are stepping down after serving several years on

Council, and their contributions on Executive as Treasurer and Chair/Past Chair, respectively, must be noted. I extend our most sincere thanks for all their work on our behalf. We are also pleased to welcome Nicole LaBarre, CIP to sit with us at the Council table following the elections held at our Annual General meeting on 26 June 2012.

Our Council will continue to focus its efforts on providing education to our members on pertinent issues through the CIP program, Pro Edge Seminars, RIBO licensing and various other seminars and coffee class offerings. We will also continue our work to promote the CIP and FCIP designation to raise awareness of its significance and value to our industry members, and to the public we serve as insurance professionals.

Over the next year Council will be working on some exciting initiatives that I believe will be of great benefit to current CIP members, to those in our industry who have yet to take the steps to become Institute members, and to those who will enter our industry in the future. More details on the work of Council and its committees will follow in the coming months and throughout the year – capital ideas in Capital News!

We will be seeking industry feedback for some of these initiatives and I hope to solicit comments and advice from all of our stakeholders - brokers/agents, insurers, claims administrators, and other industry partners. This input is what Council needs to have a clear understanding of what our members expect from us, and to deliver on those expectations in a professional and affordable manner.

*continued on page 2*

## Ottawa Chapter Subscribers



We extend our sincere appreciation to the following Subscribers who have generously contributed to the success of our Chapter this year:

### Gold Level:

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Insurance Brokers Ltd.**

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**E-Mail:** ottawamail@insuranceinstitute.ca

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continued from page 1

Council is always looking at ways to improve upon its services, and we are always interested in feedback on the quality of our service and our products. I invite anyone to contact me should they have any issues, comments or opinions on a decision that Council has made, or about any service or product that we have provided.

All that being said, it's early July as I write this article and that means it's time for most of us to take some well deserved holidays, to spend time with family and recharge the batteries for the fall. This was aptly demonstrated to me at a recent lunch at a restaurant. The simple question we have all heard a thousand times – "Would you like soup or salad?" was answered with "What's a Super Salad?" A moment of reflection was followed by an embarrassed chuckle and the comment, "I need a vacation."

So take some time to enjoy the summer and I look forward to connecting with you in the fall.

## 2nd Annual WICC Golf Tournament August 20, 2012

Please join us for the 2nd Annual WICC Golf Tournament on August 20th at Camelot Golf Club. Given the popularity of this event last year, spaces are filling quickly. In order to make sure your foursome gets a spot, register early. To register, please visit the WICC web site at <http://www.wicc.ca/>. Select the event registration. If you are interested in sponsoring the event or providing prizes for the silent auction, please contact Brenda Goulet at [Brenda.goulet@intact.net](mailto:Brenda.goulet@intact.net)



**Lita Richards, BA, CIP, CPIB**

## Professionals' Corner

Lita Richards, BA, CIP, CPIB  
Vice-Chair Professional

I am honoured and excited to have been elected to the position of Vice-Chair Professional for the Ottawa Chapter of the Insurance Institute for 2012-2013. When I think of the term 'professional' in relation to the insurance industry many things come to mind.

Wikipedia defines 'professional' as:

1. Expert and specialized knowledge in field which one is practicing professionally.
2. Excellent manual/practical and literary skills in relation to profession.
3. A high standard of professional ethics, behaviour and work activities while carrying out one's profession. The professional owes a higher duty to a client, often a privilege of confidentiality. Often the professional is required to put the interest of the client ahead of his own interests.

In my opinion, almost anyone involved in the insurance industry is a professional by this definition. To one's friends, family, and sometimes even strangers, you possess knowledge of a product that is completely foreign to many. Insurance is not a tangible product. You can't see it or feel it. Most people just ignore it. They know they have to have it, but do not really know why - or if they do know why they need it, they don't know why they pay what they do for it. Even if you are not a broker, underwriter or adjuster, you pick up the terminology, explanations, definitions, and concepts of insurance just by being around it. You help your friends and family understand insurance as it relates to their needs. For example, when you are asked to explain what 'no fault' really means when they have an auto accident, and don't understand why their insurance policy will pay the claim, but not the policy of the person who caused the loss to their vehicle. You all have expert and specialized knowledge. You are ALL professionals.

One of the goals of the Insurance Institute is to promote Professionalism in the industry through education programs such as the CIP (Chartered Insurance Professional) and FCIP (Fellow Chartered Insurance Professional) designations. If you have ever wanted to expand your professional knowledge, these are great ways to do it. These courses are delivered in a variety of ways to make it as convenient as possible for students to continue their education and professional development.

If you want to encourage others to join the industry, the Career Connections Ambassador program is a great way to impart your knowledge of the industry to others. As a former Ambassador, it was always exciting to be able to explain to students how their topic of study could be utilized in a practical way within the industry. Acting as an Ambassador is not just about getting up and presenting to a classroom of students. Attending College and University Career Fairs is a great way to reach students who are at a stage in their

continued on page 3

*continued from page 2*

lives when they could be joining the industry. I am like most people in the industry, one who came upon insurance by chance. I truly believe that if I had known more about it when I was in university, it would have taken me less time to get here.

As always, there are lots of great seminars, courses and events planned for the fall. I hope you will plan to participate, and expand your professional knowledge and network.

## **“Charity Begins at Home”**

Lita Richards, BA, CIP, CPIB

Crain & Schooley Insurance Brokers Ltd. & Financial Corp. has been part of the community since 1953. With offices in Perth, Carleton Place, Smiths Falls, Kemptville and Ottawa, our sense of community keeps growing.

Supporting our community has always been part of our values statement at Crain & Schooley, and we see that as not only a form of giving back, but also as a way of strengthening the communities where we work. Our corporate donations - as well as significant contributions of personal time - are made to local hospitals, schools and charities. In addition, we sponsor local events, charity golf tournaments and sports teams. We strongly encourage payroll deductible donations to The United Way, and Crain & Schooley matches staff donations up to \$1,000. We are a Corporate Sponsor of Big Brothers/Big Sisters of Lanark County, and have great staff participation in Bowl-for-Kids, Curl-for-Kids and Golf-for-Kids.

Our employees are proud of our community support and are happy to step up to the plate when called on to give back. We have monthly “denim days” in support of a local organization that is sponsored by staff members. Organizations that staff members are a part of, feel strongly about, or have been affected by, are put forward to be the recipient of denim day proceeds. A minimum donation of \$2.00 is given by each staff member to wear denim for the day, and Crain & Schooley also matches these staff donations up to \$1,000 per year. In the past year we have made contributions through this program to youth programs, transportation for Seniors, hot lunch programs, Heart and Stroke, Relay for Life, ALS, local snow suit funds, food banks, Interval House, Boys & Girls Clubs to name some of our “causes”. In 2011 the Crain & Schooley denim days raised a total of \$1,763 for local charities, and as of June 2012, the denim days have already raised \$1,097.

In the past year we have made financial contributions to organizations within our community in excess of \$20,000. At Crain & Schooley we believe our people really do make a difference.

Our 2012 - 13 Subscription Campaign will begin this Fall. If your firm would like to become a subscriber, contact the Chapter office today for further information and a list of benefits.

## **Did You Know**

The Insurance Institute, with its network of 21 provincial Institutes and local Chapters, is the education arm of the property and casualty insurance Industry, representing more than 38,000 individuals across Canada.

## **Feed The Minds of Youth Day**

On November 7, 2012 your Ottawa Chapter will join other Chapters and Institute across Canada in a complimentary “Feed the Minds of Youth” luncheon – part of the Take Your Kids to Work Day. Grade 9 students and their parents, after spending part of the day at the parent’s place of work, are invited to join us for a Pizza Lunch-n-Learn. A panel of local industry professionals will describe a variety of career options within the property casualty insurance industry, and students will receive a Take Your Kid To Work t-shirt and a Career Connections kit to reinforce what they learned at the luncheon.

Call the Chapter office today for further details and to register!

## **OIBA Trade Fair and RIBO Licensing**



Ottawa Chapter was pleased to participate in the Ottawa Insurance Brokers Assoc. Open House & Trade Show, May 17 at the Ottawa Congress Centre. This well organized and well-attended event replaces the Meet the Underwriter Night.

Well Done OIBA!

## Thank You (once again!)

Our thanks to the following instructors, Career Fair Ambassadors and exam monitors from the spring 2012 term – and to their employers! – for the time, energy and enthusiasm so generously donated.

If you have earned your designation, please consider joining this dynamic team. Call the Chapter office.

**Matthew Carr, CIP**

Pentagon Carr Ins.

**Brigitte Cayer, CIP**

Canada Post

**Marg Crawford, FCIP**

Quelmecc Adjusters

**Kathryn Daley, FCIP**

RSA

**Diep Huynh, CIP**

Aviva Canada

**Carol Jackson, CIP**

**Dan McKean, CIP**

Cunningham Lindsey

**Charles McLeod, CIP**

Claimspro Inc

**Nathaniel McPhee, CIP**

Quelmecc Adjusters

**Kate O'Hara, CIP**

Smith & Bradleys Ins

**Lisa Rath, CIP**

Economical Group

**Phil Rogers, FCIP**

The Co-operators

**Bernard St. Georges**

FCIP Intact Insurance

**James Scharf, FCIP**

Intact Insurance

**Manon Trottier, PAA**

Claimspro Inc

**Nancy Tse, CIP**

Co-operators

**Paul Wanamaker, FCIP**

Wawanesa Mutual



**Melinda Shaw, CIP**

Utilizing new technology in our instruction for the students, and integrating that technology into our classrooms is a way to keep the next generation of our students engaged and active as they continue to expand their knowledge of our industry. The Institute provides online tutorials as well as practice tests and information for each class offering. Our instructors are now using various methods such as podcasts, slide presentations, videos and webinars, to deliver the course material to keep our classes interesting and our students interested.

Another method used by our instructors is to involve the students in more collaborative projects as they work through each course, recognizing that this is a generation that shares ideas, and enjoys the atmosphere of discussion and sharing experience and opinions, just as they did in their university and college classes.

It is always important to utilize teaching tools that are comfortable for the instructor, but at the same time the instructor must be cognizant of how our students learn and grow.

Blending lecture techniques and technology is the way we look to connect the instructor to the student, and to have the student connect with the material in a way that will benefit the student and our industry.

**Look Ahead:**

A preview of the Winter 2013 Semester:

C-12 Property I

C-14 Auto I

C-16 Business of Insurance

C-39 Fraud Awareness

C-110 Essentials of Loss Adjusting

C-131 Advanced Skills for the Broker/Agent

## 53rd Annual Awards Banquet

Our 53rd Annual celebration will be an event to remember. Join us in a special evening of recognition of our Class of 2012 CIP and FCIP graduates. Plan to attend the 53rd Annual Awards Banquet on Friday, November 16, 2012, 5:30 pm at the elegant Hilton Lac Leamy.

Contact any member of Council or Ellen at the Chapter office (613-722-7870) for ticket information.

## Meet Your Council



In our continuing series of profiles of members of your Ottawa Chapter Council, we are pleased to introduce you to:

### **Michelle Jennings, BA, MA** Customer Relationship Manager Insurance Institute

Some of you may have already met Michelle when she visited one of your offices during the past several months or at the IIC booth at the OIBA Trade Show at the convention centre in May. She is our Customer Relationship Manager for the Insurance Institute, based in Toronto but making regular trips to the National Capital Region and surrounding areas. Since taking on this position, she has already made her way into a number of offices – and a number of towns! - to introduce herself to you.

Michelle started working in the insurance industry as a part-time commercial lines underwriting assistant at the Economical Insurance Group (TEIG). While completing her undergrad degree at University of Western Ontario, she worked during the school year in their London branch, and summers at the Kitchener branch.

Following graduation she worked as a full time personal lines underwriter for TEIG in Kitchener then moved to Ottawa to pursue her Master's degree in Communication from the University of Ottawa. With that degree in hand, she took on a contract position at TEIG as a Technical Training Developer, and when the contract was completed, she moved to Toronto and found herself at the IIC, where she is excited to take on her current role.

She has recently begun the pursuit of her CIP designation (walking the talk!) and her ultimate goal is to complete the CIP within three years and possibly moving on to complete the FCIP program. She is enjoying the CIP classes, having taken two courses last semester (one virtual and one weekend warrior) and tells us she enjoyed the experience and learning more about the industry.

Michelle has been spending the last six months learning all that she can about the Institute, and is very happy to be a part of the Ottawa Chapter (as well as the GTA and Kawartha-Durham Chapters) in

her new position. After six months in her new role, Michelle says she really enjoys the discussions with various individuals she meets while out on the road. "It's a great opportunity for me to learn more about our stakeholders and to better understand how we can meet the educational needs of our members." She noted there is a challenge in setting meetings and that coordinating times and locations with different people can be a bit of a balancing act, 'but I thoroughly enjoy it and it's always worth it in the end!"

Outside of work, Michelle likes to play soccer in a recreational league in Toronto, and spending time in the park with her dog. She is also planning her wedding which should take up most of her spare time in the coming months. (And after that event takes place, we'll be calling her Michelle Jennings-Vice or Michelle Vice. We'll keep you posted on that news.

We extend a warm Valley welcome to Michelle and look forward to getting to know her better as she gets to know us during her visits to God's country.

### **Coming Soon!**

A "get to know" us edition of Capital News featuring profiles of all current Ottawa Chapter Council Members.

Watch your inbox this fall.

## On the Move (and Other News)

**Valerie Grenier-Dewar, CIP** has made a move to Smith & Bradley's Insurance Brokers Ltd. as a Commercial Account Manager.

**Michael Kilroy, FCIP** is now Commercial Lines Manager at Economical Insurance.

**Mike Laberge, CIP CRM** has taken a position with AECOM Environment, Central Canada as Insurance Market Sector Leader. He is based in the Ottawa office but will be performing business development activities for their environment business line across Canada.

**Corinne McIntosh, CIP CRM**, and a member of Ottawa Chapter Council, has been promoted to Senior Underwriter in the AIM division at ENCON Group Inc.

There is also some sad news we must share. **John Green, CIP** passed away on 10 April 2012. John was an important part of the Ottawa insurance industry and taught courses in our insurance community for over 30 years. He was a friend to many of us, and a great supporter of the Institute. We shall miss all that he shared with us: his insurance knowledge, his humour, his perspective, and the time he spent with us in the classroom.

## Instructors In the Spotlight



In our continuing series of instructor profiles in our evening class program we are pleased to highlight:

**Dan Buch, CIP**  
Cunningham Lindsey Canada

We spoke with Dan about how he got his start in the industry. After graduation from Carleton University with a degree in Economics and Law, he ended up apprenticing as an automotive mechanic, working for his father – a business relationship that did not last. He said “Imagine, fired by your own father!” But his dad knew Dan was meant for great things

in the insurance industry, and he went on to work for State Farm in varying positions from field adjuster to agency training to SIU. After 10 years with State Farm, he moved to Cunningham Lindsey, where he is today

He is currently a Regional Manager with this global independent adjusting firm, where he manages the Eastern Central Region including Ottawa and a series of smaller offices along the St. Lawrence Seaway, as well as offices from Peterborough to Brampton to Kitchener. Considering the distance between locations he said “Perhaps a better clarification of my position would be to say I am a Highway 401 commuter vs. anything insurance related”.

It was natural for Dan to take the step to becoming an instructor for the C39 – Fraud course. When that course was first introduced he was involved with the Canadian Association of Special Investigation Units (CASIU) doing primarily fraud work. In fact, a number of his cases made it into the course text book. Dan said when he was presented with the opportunity to instruct “I was pretty comfortable with the course as I knew not only the material, but had the insight into the cases and could easily expand on them.” Until recently, Dan taught primarily C39 Fraud Awareness & Prevention, but has now added the C112 course (Practical Issues in Claims Management) to his repertoire. He said this recent addition seems to be a

good fit and suggested “that the course reads a little like my day planner”. When asked what makes the instructor role challenging, Dan said the real challenge of the role is “being in a good frame of mind, set to communicate, and to enjoy the class each and every night”. He strives to make each course interesting and meaningful and we are sure his students would agree that he manages to do just that in the classroom.

He appreciates this role as instructor is an opportunity to give back to the insurance community, but finds the most rewarding part is the interaction with the students, being able to “develop relationships and have an opportunity to participate in their respective goals and plans”. He recognizes that the students are an important part of this role, using their evaluations of the class as a learning tool for himself, allowing him to “tweak and to try to improve as an instructor”.

On the personal side of things, Dan is married and has two daughters (both in university). He was candid in saying that combined with his boss, he has four women in his life who keep him very busy when he is not already busy instructing. His interests outside of insurance include golf and music. He plays in several bluegrass bands but since he describes the compensation for a musician as “skinny”, we won’t be losing him to the music industry any time soon!

## Broker (RIBO)/Agent (OTL) Basic Licensing Course

The Ottawa Chapter of the Insurance Institute of Ontario is pleased to again offer our Two-Week Intensive course for the licensing of insurance brokers and agents. Class size is strictly controlled, and the course is taught by a panel of instructors. You now have the opportunity to prepare for, and to write your licensing exam in a classroom setting!

**WHEN:** Mon. – Fri., Sept. 10 – 21, 2012  
12:00 pm – 5 pm  
**WHERE:** Insurance Institute Boardroom  
300 -1335 Carling Ave.  
**COST:** Tuition: \$ 700.00  
Texts & Materials: \$ 294.00  
Total: \$ 994.00  
IIO Membership (mandatory): \$ 85.00  
Payable at registration: \$ 1079.00  
Exam Fees payable separately  
**EXAM:** Monday, September 24.  
12:00 pm  
Insurance Institute

We encourage you to register early, and avoid disappointment



*Smiling faces of the Ottawa Chapter RIBO Licensing Class – June 2012*



## CIP Society – Ottawa Chapter 15th Annual Golf Tournament

**Each registered CIP society member may invite a non-CIP guest – provided the guest is a member-in good standing of the Insurance Institute. Space is limited to 72 golfers. Best Ball Tournament!**

**Date:** Friday, September 7, 2012

**Location:** Cedarhill Golf Course – 56 Cedarhill Dr. Ottawa

**Fees per participant:** CIP Society Members & Guest: \$140.00 ea. (add \$85.00 membership fee for non-members)

*Above fees include golf, power cart, BBQ Lunch, chicken dinner, Mystery Mix and lots of great prizes – including Hole In One!*

Dinner only: \$ 40.00 (add \$85.00 membership fee for non-members)

**Time:** Shotgun Start: 1:00 pm Dinner 6:30 pm

**Registration Deadline:** Friday, August 31, 2012

PRIZE DONATIONS WELCOME!

HOLE SPONSORSHIP WITH SIGNAGE - \$75.00 – single hole \$100.00 – Two Holes

Contact Michael Cherrie, CIP, CFEI for details: 613-232-7100 or mcherrie@cherriegriffith.com

**REGISTRATION FORM – GOLF TOURNAMENT, LUNCH & DINNER - DEADLINE FRIDAY, August 31, 2012**

GROUP MEMBERS MUST REGISTER TOGETHER

NAME	CIP	FCIP	GUEST	COMPANY	TELEPHONE
1. (CONTACT PERSON)					
2.					
3.					
4.					

### Registration Fees

Golf, Cart & Dinner  
\$140.00 per person X \_\_\_\_\_ = \$ \_\_\_\_\_

Dinner Only  
\$40.00 per person X \_\_\_\_\_ = \$ \_\_\_\_\_  
\* Add \$85.00 Membership Fee for non-members

**Register:** On-line: [www.insuranceinstitute.ca/ottawa](http://www.insuranceinstitute.ca/ottawa) >select "events"

**Mail:** Print a registration form online and mail it with cheque to:

**Insurance Institute of Ontario**  
300-1335 Carling Ave., Ottawa, ON, K1Z 8N8  
(payable to IIO – Ottawa Chapter)

**Contact:** ottawamail@insuranceinstitute.ca

**Phone:** 613-722-7870

**Fax:** 613-722-3544

**Cancellation Policy:** Substitutions welcome.  
Credit notes issued with 24 hours advance notice.  
No refunds.

**Proceeds in Support of Ottawa Food Bank**

## "Ten Years From Now"

Donna Robinson, CIP

No one can predict the future however we can and need to anticipate what the future will look like for the insurance industry.

Having been in this industry for over thirty years and having witnessed changes in coverage it becomes obvious that the industry has had to make changes to accommodate the changes in society. So what changes can we anticipate in the next ten years?

Let's take a look at some changes and think about things the industry might consider.

In the next ten years we will be dealing with a changing demographic as baby boomers all reach retirement age and beyond. What kind of insurance products will be required for this large segment of the population? With the advances in medical science people are living longer. How will this affect the insurance industry?

The needs of the senior population will change. Many will downsize and require different insurance products. As their disposable income becomes less they may opt for the more basic of coverage thus reducing the amount of premium dollars being paid to the insurance companies. The insurance industry may have to look at products that are less expensive but are designed more for the retired or semi-retired population. Offering automobile benefits to accommodate their specific needs would be an example. The income replacement benefit would not necessarily be needed however no doubt increased housekeeping home maintenance benefit may be needed. Products that stand alone but can be purchased for a reasonable cost to cover the needs of a senior person when travelling or assistance in the home and transportation to medical appointments during serious illness may be something that there will be a greater need for. The

Government run provincial health system continues to reduce coverage and this will also be somewhere that private insurance can step in and fill in the gaps.

We can also anticipate a more delineated class system. Many of the "baby boomers" will have inherited money and will be able to pay for insurance for benefits that they want whereas others will be surviving on a fixed and limited income.

On the other side of the coin we will have a younger population who will be struggling to pay off student loans and get a good job. As education costs have increased students take years after graduation to become debt free. This group will not be able to purchase increased coverage but will be taking basic coverage that is required again reducing premium dollars.

As more and more retirement homes are built coverage for these facilities will become a large market for insurers.

We are presently and will continue to deal with aging infrastructures in our cities and towns. This will give rise to increased claims by homeowners with respect to such things as sewer backup. Already this coverage is being restricted in homeowners insurance. It may be that we will see that insurers are not automatically going to offer this type of coverage to those living in urban areas where there is a high risk of damage through sewer back up. We may see the advent of that type of coverage being as expensive as coverage for floods, tornadoes and earthquakes and only offered to those no living in an area where there is a risk of that type of loss.

Similarly changing weather patterns will require underwriters to review of coverage that can be offered.

We are now well into the computer age and with new technology being introduced almost daily the insurance industry will have to look at coverage that protects against identity theft and intellectual

property. Limits will have to be considered on personal computer products, software and hardware. This will be an evolving market and will require continual review.

With the computer age comes the need for the population to want to do everything on line including the purchasing of insurance products. Making sure that this is available and that it is a secure way of doing business will be a challenge to the insurance industry.

We have become a very litigious society. It will become increasingly important that brokers and agents make sure that they are providing the right information to clients to make sure that they have the proper coverage to protect them. Brokers and agents will be exposed to claims for errors and omissions if they fail to properly advise clients.

The increasing costs of future care for persons injured in accidents will require higher liability limits in both home insurance and automobile insurance for both businesses and individuals. Products such as Umbrella Coverage will be something that should become increasingly popular as a way of having greater protection.

The basic principal of insurance is sharing the losses of the few among the many. The challenge will be to determine what those losses will be in the next ten years and to offer the products that will offer protection and respond to those losses.



*"Here's the Winner" – Donna Robinson receives National Education Week Essay Competition prize from past Ottawa Chair, Bob Norman CIP.*

## It's the Law!



### Waiving Good-Bye To A Claim

Donna Robinson, CIP  
Licensed Paralegal

A group of friends got together and decided to go zip lining in Whistler. Two of these friends were Deanna Loychuk and Danielle Westgeest. The advertising for Cougar Mountain said that the experience would be “fun and exciting”. On the website it promised an experience through old growth forests on tandem zip lines with speeds of up to 100 mph. In answer to questions on the website the Skyline adventure assured that the system was fully engineered and was the safest cable ride in the world. In fact it stated that it utilized a permanent rock anchor system rather than anchoring to trees and that the cable also used three times the thickness of conventional zip line systems.

Before being able to access this experience all participants were required to sign a Waiver and both Deanna and Danielle did so. Deanna went down first. Unfortunately she became suspended part way down and did not reach the platform. Danielle was next and was told to go. She was unable to see that Deanna had not reached the bottom. Danielle had

no ability to stop herself and collided with Deanna causing both of them to be injured.

It was determined that miscommunication between the guides was the sole cause of the accident and neither of the participants would have had any control over the situation.

Thus there was no question on liability. Cougar Mountain admitted liability. The question however was, were the Waivers that both girls signed a complete defence for Cougar Mountain.

It was determined that the participants knew about the waiver. They had to sign it in two places. The form contained warnings that it was a release of liability and said to please read carefully. The participants had to complete their name address and weight. The form required the participant to engage in completing the document and it could not be done quickly so the argument that they did not understand it would not be acceptable. Evidence brought out in this case showed that both injured parties were familiar with waivers to some degree.

Deanne was the owner of a business that sells 30 Minute Hit which offers kick boxing/fitness programs for women. She required clients to sign a waiver of liability and assumption of risks agreements and advised that they would not be able to participate if they did not sign them. In addition she signed a waiver at Grouse Mountain ski hill where she has been a member since 2006.

Danielle had just finished law school. She said that she glanced over the release but did not read it all and did not discuss the terms of the release with any of the Cougar employees. She acknowledged that she knew she was signing a waiver and recalls signing a waiver one other time when she rented a kayak. Both women said that they did not realize that it gave the operator immunity for its

own failures... and did not appreciate that all rights against Cougar were being waived including claims arising from Cougars negligence.

So was this waiver enough to relieve Cougar Mountain of all liability? The Summary Trial Judge and the B.C. Court of Appeal, ruled that the waiver was valid and a complete bar to the claims.

In coming to this decision other cases were considered and discussions took place on the following issues:

- A. Enforceability of the Waiver: The Plaintiffs signed the release knowing that it was a legal document affecting their rights
- B. Unconscionability of the Release: The Plaintiffs were advised on the website that a waiver of liability was a requirement in order to participate. There was no evidence of duress and they voluntarily participated in the activity. They were familiar with releases/waivers.
- C. Release Void under the Business Practices and Consumer Protection Act: If the BPCPA does apply to this transaction the judge found that Cougar did not breach its provisions.
- D. Past Consideration: The judge found that the release did not fail for lack of consideration.

This case illustrates that Waivers can have validity and be a complete defence to a claim however all circumstances surrounding the incident and the terms of the waiver must be looked at closely. The full reasons can be found at:

*Loychuk v. Cougar Mountain Adventures Ltd.*  
2012 BCCA 122, [2012]BCJ No 504(CanLII)  
[Loychuk]

## Mark Your Calendar

Seminars & More!

### Exam Results (July) Available

August 11, 2012

### WICC Golf Tournament

August 20, 2012

### CIP Golf Tournament

Sept. 7, 2012

### CIP Fall Classes Begin

Sept. 10, 2012

### RIBO Level I Licensing Course

Sept. 10 – 21, 2012

### Commercial Auto – Rigs & More

Seminar – ½ day

Sept. 12, 2012

### Property Fire Rating Classifications!

Coffee Class

Sept. 20, 2012

### Registration Deadline

#### Distance Learning

#### December '12 Exam

Sept. 30, 2011

### Equipment Breakdown

PROedgeSeminar – Full-day

Oct. 25, 2012

### Feed the Minds of Youth

Nov. 7, 2012

### 53rd Annual Awards Banquet

Nov. 16, 2012

### Institute Exam Week

Dec. 3– 7, 2012

### Inter-Association Christmas Social

Dec. 18, 2012

## Ottawa Chapter–Insurance Institute of Ontario Executive and Council for the 2012 - 2013 Term

Carson Cook, CIP

### Chair

Aviva Canada Inc.

Lita Richards, CIP, CPIB

### Vice-Chair Professional

Crain & Schooley Ins. Brokers

Melinda Shaw, CIP, CRM

### Vice-Chair Education

Intact Insurance

Brian Tascona, AIIIC

### Secretary/Treasurer

Marsh Canada Ltd

Bob Norman, CIP

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## Membership Renewal

It's that time of year again! Renewal deadline for 2012 - 2013 was June 30th. We encourage you to keep your membership in good standing in order to access our full range of services, and for continued use of your hard-earned CIP/FCIP designation. **July exam marks** will be **released August 11, 2012**. Membership must be in good standing for marks to be released.

Many companies have chosen the "bulk billing" method of payment on behalf of their employees. If you are unsure whether your membership has been paid, contact your Chapter office immediately at 613-722-7870 or [Ottawamail@insuranceinstitute.ca](mailto:Ottawamail@insuranceinstitute.ca).

## Ottawa Chapter – Insurance Institute of Ontario

300-1355 Carling Ave., Ottawa, ON K1Z 8N8 • Phone: (613) 722-7870 • Fax: (613) 722-3544 • e-mail: ottawamail@insuranceinstitute.ca

### FALL 2012 CLASS LIST

Course Number & Title	Instructor	Days	Dates	Time	Location	Exam Date
C11 Principles & Practice of Ins.	Paul Wanamaker, FCIP	Wednesday	Sept. 12, 2012	5:30 pm – 8:00 pm	Institute Offices	Dec. 3, 9:30 am
C13 Liability 1	Marg Crawford, FCIP	Monday	Sept. 10, 2012	5:30 pm – 8:00 pm	Institute Offices	Dec. 4, 1:30 pm
C130 Essential Skills/Broker-Agent	Kate O'Hara, CIP, CRM	Tuesday	Sept. 11, 2012	5:30 pm – 8:00 pm	Institute Offices	Dec. 4, 9:30 am
C121 Advanced Underwriting	Corinne McIntosh, CIP, CRM	Thursday	Sept. 13, 2012	5:30 pm – 8:00 pm	Institute Offices	Dec. 4, 9:30 am
C112 Practical Issues/Claims Mgt.	Dan Buch, CIP	Tuesday	Sept. 11, 2012	5:30 pm – 8:00 pm	Institute Offices	Dec. 7, 9:30 am
C32 Bodily Injury Claims	Phil Rogers, FCIP	Monday	Sept. 10, 2012	5:30 pm – 8:00 pm	Institute Offices	Dec. 7, 1:30 pm

I am registering for Course # \_\_\_\_\_ Please indicate if you DO NOT need a Textbook \_\_\_\_\_ I am including \$85.00 for Membership \_\_\_\_\_

Name: \_\_\_\_\_ Membership No: \_\_\_\_\_ Company: \_\_\_\_\_

Address: \_\_\_\_\_ City/Town: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Home Address: \_\_\_\_\_ City/Town: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Work Telephone Number: \_\_\_\_\_ Home Telephone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Registration confirmation will be sent via email. Classes are subject to cancellation due to lack of enrolment.

Course Fees:	Course	Tuition	Exam	Textbook	Total
(Include GST/HST)	<b>All courses with Student Resource Guides</b>	\$231.38	\$178.54	\$175.35	<b>\$585.27</b>
	<b>C- 32 Bodily Injury Claims</b>	\$231.38	\$178.54	\$141.75	<b>\$551.67</b>
	<b>C- 11 Principles &amp; Practice of Insurance</b>	\$231.38	\$228.26	\$175.35	<b>\$634.99</b>

**Additional Charges:** Membership fee – add \$85 for new or renewing members

**Deadlines:** **Early registration until:** Aug. 31, 2012 – after this date add \$56.50

**Deadline for course withdrawals:** Sept. 28, 2012

Withdrawals are subject to \$56.50 administration fee; no refunds will be made for membership fees or textbooks, unless totally unmarked

*After this date no withdrawals (or transfers) will be accepted*

**Register: On-line:** [www.insuranceinstitute.ca/ottawa](http://www.insuranceinstitute.ca/ottawa) >select "local classes"

**Mail:** Print a registration form and mail with cheque to: Insurance Institute of Ontario, 300-1355 Carling Ave., Ottawa, ON, K1Z 8N8

\*Please make cheques payable to the Insurance Institute of Ontario – Ottawa Chapter. NSF cheques will be subject to a charge of \$28.25

**Phone:** 613-722-7870 | **Fax:** 613-722-3544

**Contact:** [ottawamail@insuranceinstitute.ca](mailto:ottawamail@insuranceinstitute.ca)

# Understanding Serious Injury:

## ADJUSTERS' TRAINING & EDUCATION PROGRAM

### IT'S HERE!

The Insurance Institute and the Ontario Insurance Adjusters' Association have developed a high-caliber program offering applied technical training specifically for junior and intermediate adjusters and their employers.

Suited for Bodily Injury and Accident Benefits Adjusters, the **Understanding Serious Injury : Adjuster Training & Education** program will effectively prepare them to manage the recovery of injured claimants. The program will cover a wide range of material from medical terminology, anatomy, acute or chronic injuries, psychological and social impacts on injuries, and much more.

### Learning Outcomes

The eight-day certificate program offered 2 days per week over 4 weeks, includes five modules.

Each module will be presented by technical facilitators with a moderator. Guest speakers, industry experts, rehabilitation specialists, and others will also provide specific experience and knowledge in all five modules to apply learning.

### Join us at the Ottawa Chapter!

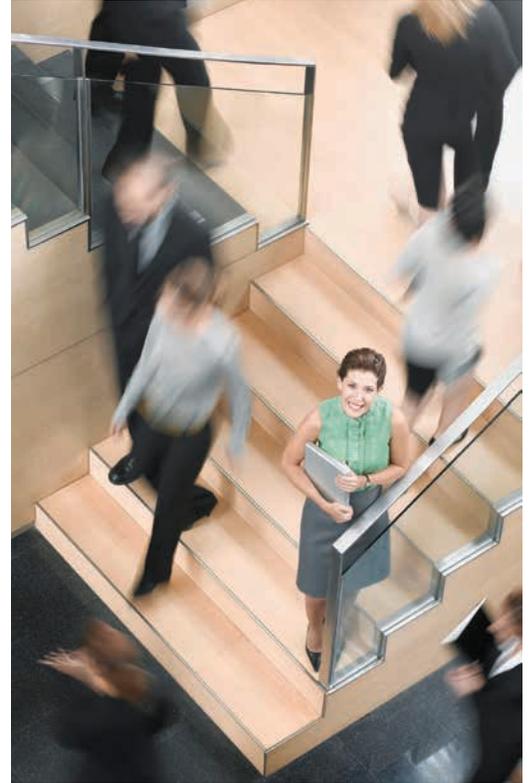
Starting January 15, 2013, join the Insurance Institute of Ontario's Ottawa Chapter for **Understanding Serious Injury**. Visit us on-line to learn more and register.

### Contact the Insurance Institute

E-mail [Ottawamail@insuranceinstitute.ca](mailto:Ottawamail@insuranceinstitute.ca)

Call 613-722-7870 or 1-866-362-8585 (toll-free)

1335 Carling Ave., Suite 300 Ottawa, ON K1Z 8N8



[www.insuranceinstitute.ca/seriousinjury](http://www.insuranceinstitute.ca/seriousinjury)



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