PRESIDENT'S MESSAGE



September 2013

Welcome Back!

Well, it seems that Mother Nature listened to all of our beleaguered adjusters out there and finally gave us a nice end to the summer. With school starting around the corner, and all the excitement and craziness of trying to get back into a schedule, September will come as a welcome relief to all of us. Now, we just have to wait and see what Fall will bring. Hopefully, an Indian summer, and a beautiful barrage of colour, and of course, Oktoberfest here in the tri-cities area. And to start that celebration off, we kick start it with our annual KW-OIAA Trade Show at the Concordia Club on September 26th.

We hope that all our social members and adjusters can make it out to this once a year event. Vendors are getting in line for your Trade Show and we expect it to be a success! So, just as a reminder, please submit your registration forms with payment so that you can secure your attendance at this fantastic event.

We have a great line up of educational speakers this year. The Chili cook-off is in November, and the kids Christmas Party will once again be held at Funworx; since our last year's Christmas Cocktail Party was such a success, we plan on holding that again. Stay tuned for updates on what is coming up this year. We are also opening a contest to all amateur photographers to submit your best picture that reflects the true spirit of the KW area. Please contact Stephanie Jermyn for details.

As August winds down, I encourage everyone to come to the meetings, participate in the events, and if you have any suggestions for speakers, or topics, please feel free to contact anyone on the executive board. I hope everyone had a enjoyable summer, and that the Fall brings some memorable moments for all.

September 2013

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Inside your September issue you will find:

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SOCIAL CHIT-CHAT

As summer winds down the annual Tradeshow is revving up. It is set for September 26th at the Concordia Club. If you are hoping to have a booth please make sure to have your registration form and payment sent in as soon as possible - there are only 52 booths available and they are filling up fast! Pre-payment is also required for those of you looking to attend dinner only. Don't wait to get your tickets or you may be out of luck!

Are you an avid photographer? Or perhaps the only camera you own is on your smartphone. Either way you could be the winner of the KW-OIAA photo contest. We are looking for a new photo for the cover of our monthly bulletin and are taking your submissions!

For more information about the Tradeshow or the photo contest please visit our website at www.kw-oiaa.ca.

As your new social director I look forward to our monthly chit chat. If you have any comments please feel free to contact me through the website.

If you have an ad or an article you would like to place in the KW OIAA bulletin Please contact Randy Higgins – randy@pdskw.ca - 519-570-0438 x 242

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If you have any questions, concerns or comments, please do not hesitate to contact any of the above committee members.

2013-2014 Executive Committee – Getting to know them!



Cyndy Craig - President

Cyndy has 30+ yrs working in the insurance industry, handling multi-line claims and currently works for Arch Insurance as a senior examiner. This is her fourth year on the OIAA executive in the KW area. Cyndy enjoys the outdoors, is an avid golfer, baseball player, and gardener.



Laura Potts - Vice President

Laura Potts is presently a Residential Property Field Adjuster at TD Insurance covering the KW, Cambridge and Guelph. She has experience adjusting Property, Municipal Liability, Liability, Automobile, Bodily Injury and Accident Benefit claims. She has been in the industry for over five years. This is her third year on the KW executive council. Laura is very passionate about traveling and is an avid swimmer.



Charlene Ferris – Past President

Charlene has worked for the Co-operators for 13.5 years in a variety of roles, and is currently a Region Property Adjuster handling large and complex files. She has been on the executive for 7 years. Charlene is a avid soccer player, enjoys travelling and spending time at the cottage.



Mark Hale - Treasurer

Mark Hale ACII CIP FCILA has worked in claims for 30 plus years and as an Independent Adjuster for 26 years. He began his career in the UK before moving to Canada with his family in 2004. He took a position with Crawford & Company (Canada) Inc. where he continues to work and is currently Branch Manager of their Kitchener & Owen Sound branches.



Jennifer Brown – Secretary

Jennifer has worked for Economical Insurance for 3 years in various roles in the claims department, and is currently an Accident Benefits Claims. Jennifer can usually be found reading, baking or cooking in her spare time. Jennifer has joined the executive this year and looks forward to the years to come.



Mike McLeod – Toronto Representative

Michael sits with both the KW OIAA and on the provincial OIAA executive council. He represents KW at the provincial level and is responsible for the provincial OIAA website portfolio as well as committee work on the annual OIAA claims conference and benevolent events. He is employed with Crawford and Company (Canada) Inc. as branch manager for West GTA claims branches.



Dale Stuart - Director

This will be my second year as a Director for the KW OIAA. I am employed at Cunningham Lindsey Canada as a Road Adjuster, which I have been doing for four years. I have had the opportunity to travel to Australia twice for catastrophes, while also being involved in local CAT's such as Goderich and Hamilton.



Stephen Tucker - Director

Stephen has an undergraduate degree in political science and business and a master's degree in judicial administration. He holds CIP and CRM designations and is working towards achieving his FCIP. He has been in the insurance industry for 16 years having previously held positions in sales, marketing and claims. He has been with Economical for the pat 12 years and is currently the Assistant Line Manager for Ontario Casualty/Litigations Claims. Hobbies include hockey, skiing and curling and he enjoys travelling and cottaging with his wife Kim.



Stephanie Jermyn Social Director

Stephanie works for CKR Global, Canada's largest Risk Mitigation and Investigations company. She is responsible for Business Development across CKR's South-Western division. Stephanie joined CKR Global in the fall of 2011. She also teaches aerobics for Goodlife Fitness and is an avid rock climber. She received her Baccalaureate degree in English Literature from the Univ of Ottawa nd completed post-degree courses in Economics at the Univ of Waterloo.



Dan Strigberger - Social Director/Webmaster

Daniel is a Partner in the Insurance Litigation Group in our Waterloo office. He has developed an expertise in inter-company priority and loss transfer disputes, representing his clients in hundreds of such disputes over the years. He also acts for insurers' interests in first party claims, coverage disputes, and tort actions. He has several years of experience being lead counsel in matters before the courts, private arbitration tribunals, and at the Financial Services Commission of Ontario. Daniel also runs a Twitter feed,@InsuranzLaw, broadcasting "tweets" about cases and news stories dealing with insurance law issues as they happen.



Ashleigh Leon - Social Director

Ashleigh joined the insurance litigation group at Miller Thomson LLP after being called to the bar in 2008. Her practice is focused on accident benefits disputes and includes the mediation, litigation and arbitration of these claims. She also handles private disputes between insurers. When not practicing law Ashleigh spends some time helping to coach local rep and high school sports teams. This is Ashleigh's first year as an executive member of the KW-OIAA.



Randy Higgins – Bulletin Director

Randy is a partner at Paul Davis Systems Restorations of Kitchener-Waterloo, Guelph-Wellington County and Owen Sound-Grey Bruce. Randy is responsible for Business Development in these territories. Prior to joining Paul Davis Systems in April of 2007 Randy spent 14 years as an Insurance Adjuster handling all lines of claims with Pilot Insurance Company. He has sat on the K-W OIAA executive since 2009, he spent two terms as one of the Social Directors and this will be his third term as the Bulletin Editor.

ENTER TO WIN

BULLETIN NEWSLETTER PHOTO CONTEST

The Kitchener-Waterloo Chapter OIAA Bulletin publication is known for traditionally representing an historical monument or event on its cover as an icon of our Region's history. This year, we are inviting all KW OIAA members to take part in a **Photo Contest to find next year's cover photo for our 2014-2015 Bulletin newsletter**. Submissions can be made online or via email to any of our executive team members and should include a short bio explaining the significance of the photo to Waterloo Region and/or the OIAA (examples below). The selected photo will remain on the cover of the Bulletin monthly for the duration of the 2014-2015 year circulation and the winner will receive recognition in the Bulletin as well as a free year's subscription and a big bottle of Grey Goose. Please submit your contest entries here:

______(URL to upload)

DEADLINE FOR SUBMISSION IS MIDNIGHT ON TUESDAY DECEMBER 31st 2013 AND THE WINNER WILL BE ANNOUNCED AT THE JANUARY DINNER MEETING

Some examples for you to get into the spirit:

In 2012-2013, the Bulletin cover held an image of the West Montrose Covered Bridge (or "Kissing Bridge") which, according to the Waterloo Region Official Tourism Website, is: "recognized as an historic site by Ontario's Archeological & Historic Sites Board" and is "Ontario's last remaining covered bridge" with a "198' span across the Grand River. Visitors come from all over the world to see and photograph this picturesque bridge."

In 2013-2014, the Bulletin will show Woodside House on its cover, the Birthplace of William Lyon MacKenzie King and, according to Parks Canada's website (www.pc.gc.ca) was also "the boyhood home of William Lyon Mackenzie King, Canada's longest-serving Prime Minister. The house has been restored to the Victorian style of the 1890s. The importance of this residence is best reflected in King's own words: "The years that left the most abiding of all impressions and most in the way of family associations were those lived at Woodside."

What will the 2014-2015 Bulletin photo be?? WE NEED YOUR HELP!

Good Luck!!! Your Executive Team 2013-2014

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Structural Assessments and Pre-existing Conditions, Part 2

Brian Boyle, P. Eng.



In a previous article the difficulties of determining whether conditions observed after an "event" were a result of the event, or pre-existing, were discussed. The premise of the article was that the building had originally been properly constructed and was well maintained. This article continues the topic, to discuss pre-existing conditions that may have contributed to the observed damage. While the focus is primarily on pre-existing structural

conditions, similar issues may occur with other forms of pre-existing conditions, and post event damage.

Whether hired directly by the insurance company or by the owner to challenge the insurance company's handling of a claim, a structural engineer can be presented with numerous challenges when observing and evaluating pre-existing conditions that may have affected the structural performance of the building during or after the event. Two broad categories of pre-existing conditions (deficiencies) addressed in this article are structural deterioration and construction that does not meet current Building Code requirements.

Structural Deterioration

Most common building materials are subject to deterioration. Wood rots when exposed to a wet or humid environment, and can be attacked by insects. Wood also dries in the normal interior environment of a conditioned building space, resulting in warping, and splitting or checking. Concrete and masonry is subject to damage from freeze-thaw, and the use of de-icing salts which damage the concrete and can cause reinforcing steel to rust. Structural steel exposed to humid or corrosive environments will corrode. These things can generally be mitigated with proper maintenance and protection of the building components.

Loss of cross sectional area in structural components translates directly to loss of strength. This loss in strength can make the structure much more susceptible to failure. As a result, the engineer needs to assess pre-existing deterioration and the degree to which it may have contributed to the failure or loss. This can be straight forward or a tricky matter. On one hand, the degree of deterioration may be so extreme that it was only a matter of



time before the loss occurred. On the other hand, a moderate level of deterioration may have been a contributing factor but not the sole cause of the loss. In the latter case, the engineer needs to observe whether or not a localized failure occurred due to deterioration or whether the loads were substantial enough to cause non-deteriorated members to fail. This could also be substantiated by calculations.



In more complicated failure investigations, it could be possible that deteriorated members caused a premature collapse of one system (i.e. a roof) that then caused the collapse of another system (i.e. a lower floor or wall) that would not have otherwise failed. The engineer needs to carefully weigh the evidence in piecing together the contributing factors for a loss.

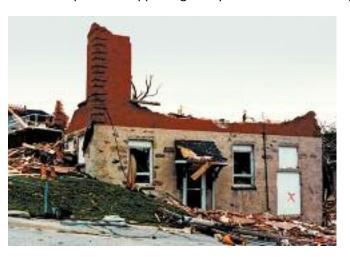
Does Not Meet Current Building Code Requirements

The Ontario Building Code (OBC) came into being in 1975. Prior to that, there was no uniform building regulation in Ontario. Some Municipalities had their own Code or adopted a version of the National Building Code of Canada. Other Municipalities had little or no building regulation. Even since 1975, building regulation enforcement has been inconsistent across the province.

There are numerous archaic building construction concepts that cannot be justified by structural engineering analysis under the current OBC. Even portions of Part 9: "Housing and Small Buildings", in the current OBC, are based on empirical requirements, which cannot be justified by structural engineering analysis. They are based solely on years of experience of what works, with acceptable risk to life and property. This can complicate the engineer's role in the failure investigation.

A tool that can be utilized to assist the engineer in this regard is the guide published by the National Research Council of Canada. This guide states that where a building is older than 30 years, and there are no signs of structural deterioration, or structural distress (large deflections, cracking, etc.) that the structure is deemed to be adequate. Essentially, this grandfathers buildings based on the fact that they have performed adequately for 30 years or more. The logic behind such an assumption is that the building is likely to have experienced typical snow, wind and seismic loads over its 30+ year life.

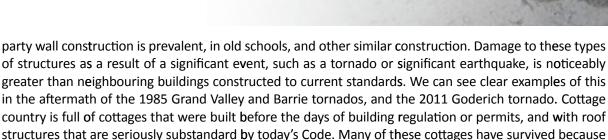
What types of structures are we talking about here? Examples would include the typical 1¾ story wood frame farm house with balloon frame construction, and churches with loadbearing masonry walls and pilasters supporting heavy timber trusses and high vaulted ceilings. There are many examples of both



types of buildings where the bottom of the roof structure is not adequately tied across the building. We have all seen the old farm house with the sagging roof ridge, and the churches with steel rods retrofitted across the sanctuary to keep the walls from spreading. Many old loadbearing masonry buildings with wood framed floors and roofs have fire cut joists ends sitting on, but not anchored to the supporting masonry walls. The buildings do not have their structural systems adequately tied together. These buildings may remain together only by virtue of the friction between the wood and masonry. We see these types of buildings in old "downtown" Ontario, where loadbearing masonry



their owners removed snow from their roofs.



Building Code oversights can happen even when construction work is done under a Building Permit. One of the most common design and/or construction deficiencies in construction that impacts the extent of damage under high winds is improper anchorage of roof framing to the supporting walls. Deficiencies can also happen when an existing building is modified, outside of the building permit process. Examples would include removal of loadbearing walls and their replacement with beams (or nothing at all), the cutting of structural elements, such as floor joists, to install ductwork, and adding mechanical units or other loads to a roof without assessing the capacity of the roof and providing suitable strengthening.

While a building may not have been built to the current building code or any code for that matter, the engineer's role is to assess the damage that resulted from the event. The fact that a building or component may not be up to code may have made it more susceptible to damage does not alter the fact that the building was insured while under the non-code compliant condition. The exception to this may be if the building was constructed recently and wasn't constructed to current codes or if recent alterations were done to the building that did not meet current code requirements. In this case, the responsibility of the loss may lie with those responsible for the non-code compliant construction or alterations.

Determining Cause of Damage

Was it the event the cause of the damage, or was it exacerbated as a result of pre-existing conditions? This can be an extremely difficult task for the structural engineer assessing the damage. Most of the examples of events causing property damage which I have referred to are climatic (wind, snow) or seismic. Other causes of damage include man made events, such as a natural gas explosion, or by someone simply driving into the corner of their garage.

So, can the engineer quantify the forces and provide a 100% accurate opinion as to cause, probably not. On the other hand, an "order of magnitude" assessment of the forces can often be made by looking



at any surrounding damage, or lack of damage. This could include damage to buildings and trees. How did other buildings nearby handle the force of the event. A small area of chaos (one damaged building) in the

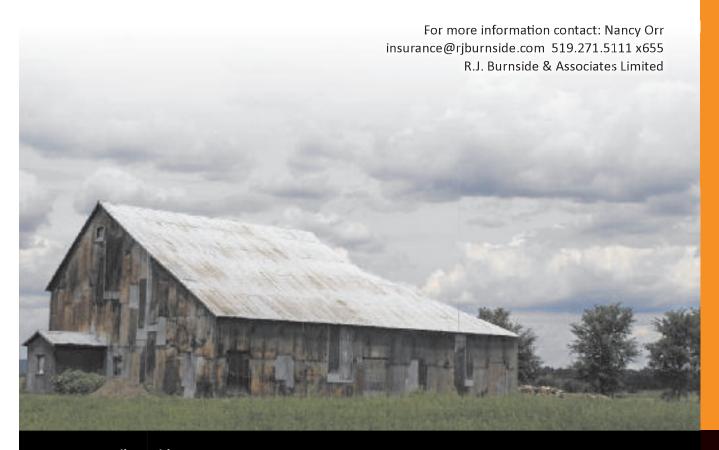


middle of a sea of tranquility may indicate there was an underlying, pre-existing condition in the building that resulted in the damage. If all the adjacent buildings have sustained significant damage, regardless of age or construction type, it can likely be concluded that whether or not there was a pre-existing condition that weakened a building, it would have been heavily damaged.

Hopefully this has provided some insight into the difficulties involved in defining the cause of structural damage if pre-existing conditions exist. Being able to apportion cause to the pre-existing condition and the event is rarely black and white, and usually will involve balancing the cost of the investigation with the benefits that may be obtained. In the event cause plays a key component to the claim, it is paramount that a highly experienced structural engineer be involved in any assessments of damage where there may have been pre-existing conditions that have affected the extent of the damage.

Brian Boyle, P. Eng., Senior Structural Engineer R.J. Burnside & Associates Limited

Brian Boyle is a Senior Structural Engineer with over 30 years experience in the design and review of construction of a wide variety of structures. His detailed knowledge of the Building Code. expertise implementing condition surveys, and unique repair design are all proven assets needed to support the Insurance Industry.



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TORONTO DELEGATE REPORT

Why is it that the summer months seem to pass much more quickly than the cold and snowy ones? I hope that everyone had a safe and enjoyable summer and as you gear up for the fall and winter here is a look at what is going on with the OIAA this year in Toronto. As always details and registration are available at www.oiaa.com and you can stay tuned to OIAA events by following @PresidentOIAA on twitter and joining us on facebook.

September 18th, 2013

September Kick-Off and Cocktail Reception - One King West, Toronto ON

October 9th, 2013

Past President's Night - King Edward Hotel, Toronto ON

November 13th, 2013

Seminar and Cocktails - One King West, Toronto ON

December 11th, 2013

Christmas Party – Westin Harbour Castle, Toronto ON

February 5th, 2014

2014 Professional Development and Claims Conference – Metro Toronto Convention Centre, Toronto ON

March TBA, 2014

<u>Curling Bonspiel</u> – Richmond Hill Curling Club, Richmond Hill, ON

April 9th, 2014

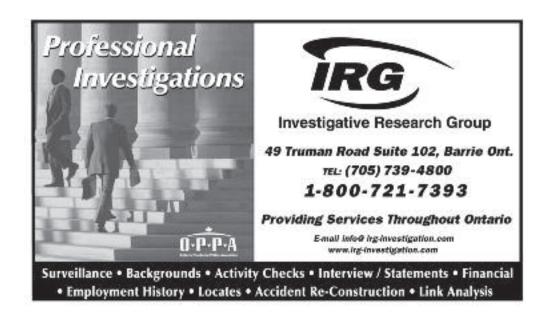
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June TBA, 2014

Golf Tournament

Regards,

Michael McLeod Kitchener Waterloo OIAA Chapter Toronto Delegate





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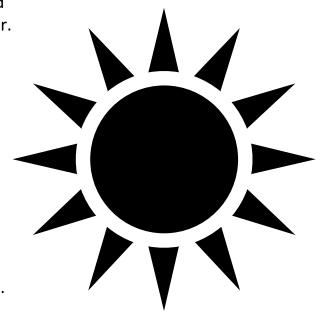
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- 1. The sun is orbited by nine major planets: Mercury, Venus, Earth, Mars, Jupiter, Saturn, Uranus, Neptune, and Pluto (no longer an official planet).
- 2. The sun contains 99.85% of the mass in the solar system.
- 3. Classified as a G2 dwarf due to its size, heat, and chemical makeup, the sun is a medium-sized star. A G star is cool (between 5,000-6,000 on the Kelvin temperature scale) and has a complex chemistry, which means its makeup includes chemicals heavier than helium.
- 4. Based on the average life of a G2 star, the present age of the sun is estimated to be 4.6 billion years, halfway through its lifetime.
- 5. Four million tons of hydrogen are consumed by the sun every second, which helps to create the sun's composition of 75 percent hydrogen, 23 percent helium, and 2 percent heavier elements.







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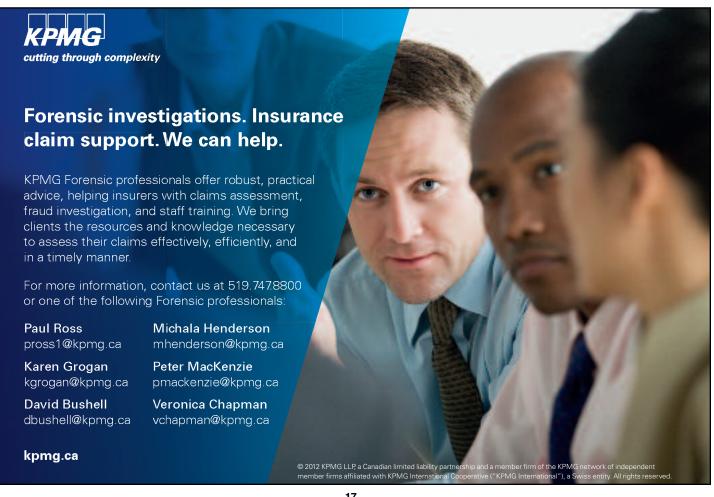
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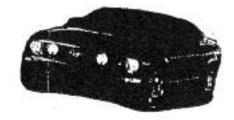
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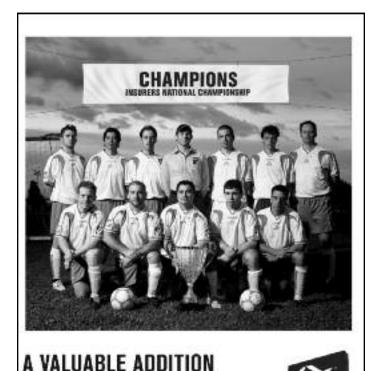
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TRADE SHOW BOOTH REGISTRATION

WHEN: Thursday, September 26, 2013 WHERE: CONCORDIA CLUB, 429 Ottawa Street Kitchener, Ontario

FEES: Single booth: $(10^{\circ} \times 10^{\circ})$, including tablecloth) Booth price \$265.00 + \$34.45 HST = \$299.45

Dinner: \$35.00 per meal (HST \$4.00 included in price)

HST#: 89331 1217 RT 0001

IMPORTANT TIMES: 12:00 pm - Booth Set Up 4:00 pm - Guests Arrive 7:00 pm - Dinner

Please complete the following:

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Company Name:	
Contact Person:	Telephone:
Email	
Do you Require Electrical Outlet:	
Do you Require a Vegetarian Meal:	
Email:	Fax:
# Booth(s) at \$299.45 = \$	_
# Dinner(s) at \$35.00 = \$	_
Cheque Total \$	Cheques should be made payable to: KW O.I.A.A.

Registration must be accompanied by full payment

MEALS MUST BE ORDERED IN ADVANCE

Mail cheque and copy of Registration to: KW OIAA, P.O. Box 40079, Waterloo Square – 75 King Street South Waterloo, Ontario N2J 4V1 Inquiries can be directed to: Cyndy Craig, ccraig@archinsurance.com (647) 293-5436

Please RSVP by September 1, 2013



WHEN:



.A.A. TRADE SHOW DINNER REGISTRATION

WHERE:	CONCORDIA CLUB 429 Ottawa Street, Kitchener		
DOORS OPEN:	4:00 P.M.		
DINNER:	7:00 P.M.		
DINNER PRICE:	\$35.00 (HST \$4.00 included in price) HST#: 89331 1217 RT 0001.		
MEALS MUST BE ORDERED IN ADVANCE			
To order your meal(s) please complete the following:			
Name:	Telephone : ()		

THURSDAY, SEPTEMBER 26, 2013

Mail cheque and Registration form to:

KW O.I.A.A.
P.O. Box 40079 – Waterloo Square
75 King Street South
Waterloo, On N2J 4V1

Inquiries can be directed to:

Cheques payable to: **KW O.I.A.A.**

Company Name:

of Dinner Tickets ____ X \$35.00 = \$____ Amount Enclosed

* PLEASE NOTE – NO MEALS CAN BE PURCHASED ON THE DAY OF THE TRADESHOW *



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