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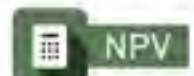
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# **PRESIDENT'S MESSAGE**

## **MARCH 2019**



**Holy ice-storms Batman! Ontario has had its fair share of weather events over the last month, with school and bus cancellations galore! Who is ready for spring??!!**

**You may have noticed that we are planning our 2nd Annual Battle of the Bands event in April, and we maxed out at 8 bands! Everyone who attended last year had a blast and we can't wait to see even more of you out this year. Mark April 25th in your calendar. Each band must include members from our industry and this year we have a wide range of industry members coming out to represent: DKI Golden Triangle, Xpera, Winmar Hamilton, Samis Law, Strigberger Brown Armstrong LLP, Centric Investigation Services, FirstOnSite, and Economical Insurance. Come cheer on your peers and have a rocking good time!**

**Our annual Tri-Association Bonspiel (with the Insurance Institute – Conestoga Chapter and Insurance Brokers Association of Waterloo Region) will be held on Friday, March 29, 2019. For more information or to register your team, please contact Heather Graham at the Insurance Institute ([hgraham@insuranceinstitute.ca](mailto:hgraham@insuranceinstitute.ca))**

**As always, if your company or organization have a celebration coming up or a special event or maybe even a promotion or new hire you want to celebrate or have showcased, let us know! We want to help you get the word out in our bulletin.**

**Thank you,  
Carrie Keogh  
President of K-W OIAA**

# K-W OIAA EXECUTIVE COUNCIL 2018-2019

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

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# SOCIAL CHIT CHAT

March 2019



We Need Your Input!

Social members comprise a very important demographic within the OIAA K-W chapter. The executive team is constantly looking for ideas to improve the programming and format of our events, expand communication channels, and to increase the effectiveness of our networking opportunities; as social members, your comments and suggestions are critical to these discussions. Any member of the exec would love to hear your constructive feedback – don't be shy!!

Aside from the always popular events such as chili night, golf & battle of the bands, we've been trying to make the monthly dinner meeting speaker topics more general in nature in the hope that they will attract a broader and larger audience. If you haven't been out in a while, our March meeting has the potential to be the "high" point of the year...

Spring is just around the corner and for most of us in this industry, that means an increase in our already hectic lives. It also means warmer days, more sunshine and that the standard excuse over the past few months for staying home on the last Thursday of each month is no longer valid.

Kindest regards,  
Your Social Director,  
Randy Henderson





# PROVINCIAL DELEGATE REPORT



It has been quiet for me as Provincial Delegate since the claims conference.

This year our chapter has been working to support other local OIAA chapters in their events. I have been out to attend two fantastic events this year in Hamilton. I attended their Holiday Gathering at Shoeless Joe's and the K-W OIAA recently put in a team to support their charity bowling event. Both events were well attended and amazingly organized.

## Upcoming 2019 Provincial OIAA Events:

**April 11, 2019 - Toronto Elections and Seminar from Kadey BJ Schultz**

**Topic: Excellence and #metoo: What to Learn and What to Do**

**Sheraton Parkway Toronto North Hotel and Suites**

**Register here: <https://www.oiaa.com/events/2019-april-meeting-and-toronto-elections/>**

**May 2-3, 2019 - Provincial Conference- Ottawa Details about this event can be found**

**here: <https://www.wearetiaa.com/2019-conference> or**

**<http://ovaa.ca/events/oiaa-claims-conference/>**

**Provincial event details and sign up are available at [oiaa.com](http://oiaa.com).**

**Regards,**

**Jennifer Brown**

**K-W OIAA Chapter, Provincial Delegate**

# EVENTS SCHEDULE 2018-2019

## **March 28, 2019 - To be Blunt: How the Legalization of Cannabis Affects the Insurance**

**Industry - Ellie Celestine, Lisa Dobson & Jaime Renner**

Mouna Hanna will discuss how the legalization of cannabis affects the insurance industry from a variety of perspectives. Join us to discuss motor vehicle accident claims, commercial host liability, insurance rate increases, the decisions so far related to cannabis prescriptions, tips for adjusters & how these cases have been treated so far with FSCO and the LAT.

## **April 25, 2019 - Election Night & Battle of the Bands-**

**Jennifer Brown, Randy Henderson & Charlene Ferris**

Election for positions available on the board, Members wishing to join the board must be in good standing with the K-W OIAA.

Any Member of the OIAA with a Band is encouraged to sign up to play and see if you are the top band in K-W

## **May 30, 2019 - Innovation - Kristin McCutcheon and Jeff Cronk**

## **June 20, 2019 - John McHugh Memorial Golf Tournament:**

**Carrie Keogh & Jaime Renner**

**Ariss Valley Golf & Country Club**

**All events will be held at Golf's Steak House and Seafood unless otherwise noted.**



# *Registration is Open!!!*



## **Booth Registration:**

Cost: \$1300+HST

- 👤 Includes 1 free pay to entire event and a 8x8 booth space

Registration Login:

<https://www.eventbrite.ca/e/ko-in-the-capital-tradeshow-booth-registration-tickets-49622291610>

## **Early bird attendee registration (until Feb28th):**

Cost: \$150.00 + HST

- 👤 Includes 2 day pass to tradeshow, educational seminars, all meals and social events

Registration Login:

<https://kointhecapital-registration.eventbrite.ca>

**\*\*Cost to rise to \$200 after February 28<sup>th</sup>, 2019\*\***

## **For additional sponsorship opportunities:**

Please email [oiaa2019.ko@gmail.com](mailto:oiaa2019.ko@gmail.com)





# KO

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## KO in the Capital 2019 Claims Conference May 2-3, 2019 Shaw Centre, Ottawa

### Sponsorship Info

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Logo on event website  
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Logo at registration  
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4 passes to the event



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FRIDAY BREAKFAST  
Includes one free pass to event

**( \*\*Prize Fighter and Heavy Weight also includes all additional sponsor features from Fly Weight category\*\* )**

For info on securing a sponsorship spot, and other inquiries  
please contact [oiaa2019.ko@gmail.com](mailto:oiaa2019.ko@gmail.com)





## Main Event – May 3rd

7:30am Breakfast / Introductions

	Ring 1	Ring 2
8:30–10:15am	Sports Injury Panel	Medical & Recreational Marijuana Seminar
10:15–10:30am	Break	Break
10:30–Noon	Head Injury Panel	Prepping Experts for Trial
Noon–1:30pm	Lunch & Guest Speaker Bruce Cooke	
1:30–3:00pm	AB-BI CAT Injuries	Investigator vs Engineer
3:00–5:00pm	Free time to explore the city	
5:00–6:30pm	Networking & Cocktails	
6:30–Midnight	Dinner & Dance Music by The Hornette's	

For info on securing a sponsorship spot, and other inquiries  
please contact [oiqa2019.ko@gmail.com](mailto:oiqa2019.ko@gmail.com)





Save the date in your calendar...**Thursday April 25 for Election Night!**

Are you interested in adding your voice to the KW-OIAA Board? Do you have great ideas and looking for a place to share them? Then this is the place for you! In order to run for a position on the board, you must be an adjuster member in good standing, or a current social member to apply as an industry partner.

**Open Positions:**

- **Secretary** (Adjuster)
- **Director** (2 year commitment for Adjuster)
- **Social Director** (2 year commitment for Industry Partner)

If you have interest in the positions of Bulletin Editor or Web Director please reach out to Charlene Ferris to discuss. If you are interested in joining the KW-OIAA board, please reach out to Charlene Ferris.







Save the date in your calendar...**Thursday April 25!**

At **Maxwell's 35 University Avenue East, Waterloo** – enjoy the true concert experience!

2018 Champs **Haz-Matt (DKI Golden Triangle)** are returning to defend their title. Will they be 2-time winners? Or will a new challenger come out on top?

Here is who they are going to be up against!

- **Under Surveillance (Xpera)**
- **Male Order Brides (Winmar Hamilton)**
  - **Big Wigs (Samis Law)**
- **The Rural Jurors (Strigberger Brown Armstrong)**
- **I'm With The Band (Centric Investigation Services)**
- **FirstOnSite – Cool Band Name To Be Announced**
  - **Solarus (Economical Insurance)**

***We are full!!***

8 bands have committed – are you ready for a fun night filled with music?  
This means if you miss out, you'll need to get in early for next year!

Cost to attend Battle of the Bands will be \$25/person.

If you are interested in sponsoring the event – there is the opportunity to be an event sponsor for \$150. Contact [Charlene\\_Ferris@cooperators.ca](mailto:Charlene_Ferris@cooperators.ca)

**All funds raised from sponsoring will be given to charity!**

# GET YOUR ROCK ON!



SHIRT



**DO YOU HAVE A BAND T-SHIRT HIDING SOMEWHERE IN YOUR CLOSET?**

**BRING IT OUT AND WEAR IT WITH PRIDE TO OUR BATTLE OF THE BANDS NIGHT!**

**LET'S SEE HOW MANY DIFFERENT BANDS GET REPRESENTED!**



# **March 2019 KW-OIAA Dinner Meeting**

## **To be Blunt: How the Legalization of Cannabis Affects the Insurance Industry**

**Mouna Hanna will discuss how the legalization of cannabis affects the insurance industry from a variety of perspectives. Join us to discuss motor vehicle accident claims, commercial host liability, insurance rate increases, the decisions so far related to cannabis prescriptions, tips for adjusters & how these cases have been treated so far with FSCO and the LAT.**

**Thursday March 28, 2019**

**Location: Golf's Steakhouse**

**598 Lancaster St W, Kitchener, ON N2K 1M3**

**5:30 pm Networking Reception**



Mouna Hanna has been practicing insurance defense litigation since her call to the Ontario Bar in 2012. Prior to joining Dolden Wallace Folick LLP in 2017, Mouna practiced at an insurance defense litigation boutique where she represented both domestic and foreign insurers. She also served as lead counsel on a number of projects targeted to defend against fraudulent claims, and worked with her clients to develop strategic responses to future related claims. Mouna routinely represents her clients at the Superior Court of Justice and before administrative Tribunals. She is also the current Chair of the Young Lawyers Committee of the Canadian Defence Lawyers Association.







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# Charity Curling Bonspiel

## Registration

Friday, March 29, 2019 | 9 a.m. – 4 p.m.

Westmount Curling Club, 50 Iverness Drive, Kitchener



### With busy schedules, it is often difficult to support the many insurance events in your area

Based on your feedback, we recognize how creating and building connections in our industry is vital to your career development and success. Our tripartite associations are pleased to extend an invitation to join our [Eighth Annual Joint Associations Charity Curling Bonspiel](#), a joint winter event to give all our members the opportunity to network with like-minded individuals in our community.

### Our bonspiel is a fun event, so no experience required!

We try to match up experienced groups in the draws, while also making some instruction available at the rink. Registration is first-come first-served for your choice of a morning or afternoon draw.

If you care to sponsor part of the event, please indicate so on the registration form. We will present proceeds to the United Way of Kitchener Waterloo.

### We hope you can come out and join us at Westmount Curling Club on Friday, March 29, 2019

We offer a morning and afternoon draw, with two four-end games in each draw, so you can still get in a half-day at the office. A catered buffet-style lunch is available to both the morning and afternoon curlers, providing lots of opportunities to connect with colleagues throughout the local industry.

Curling is an entertaining social sport that most of us do not get to try or do very often; we hope you can join us on the twenty-ninth.

**Sponsorship Contacts:** Joe Dalton: [jdalton@encoregrp.com](mailto:jdalton@encoregrp.com)  
Carrie Keogh: [ckeogh@goremutual.ca](mailto:ckeogh@goremutual.ca)

**Registration Price:** Single: \$56 (incl. hst).  
Team of 4: \$226 (incl. hst).

*Note: Wear warm clothing and flat, indoor shoes.*

## 8<sup>th</sup> Annual Joint Association Charity Curling Bonspiel Team Registration:

FIRST NAME	LAST NAME	COMPANY
ADDRESS	CITY/PROV	POSTAL CODE
EMAIL	PHONE	PREF. DRAW TIME
TEAM MEMBERS:	EXPERIENCE:	

**Payment Method:** CHEQUE MONEY ORDER CREDIT CARD (CREDIT CARD PAYMENT ACCEPTED VIA TELEPHONE)

AMOUNT ENCLOSED DATE SIGNATURE



### Submit Registration & Payment to:

The Insurance Institute of Ontario, Conestoga Chapter  
101-515 Riverbend Dr., Kitchener, ON N2K 3S3  
(t) 519-579-0184 (f) 519-579-1692  
(e) [conestogamail@insuranceinstitute.ca](mailto:conestogamail@insuranceinstitute.ca)

# Charity Curling Bonspiel

## Sponsorship Opportunities

Friday, March 29, 2019 | \*9 a.m. – 4 p.m.

Westmount Curling Club, 50 Iverness Drive, Kitchener



ALL PROCEEDS SUPPORT THE UNITED WAY

### 1. Select Sponsorship Level

GOLD SPONSOR	<u>\$500</u> : Covers the cost of complimentary drink ticket(s) for each attendee at lunch.
SILVER SPONSOR	<u>\$350</u> : Covers the cost of the rink rental for the event and instruction.
BRONZE SPONSOR	<u>A cash donation of your choice</u> that for contribution to any miscellaneous expenses and/or the total proceeds from the event, for donation to the United Way of Kitchener Waterloo & Area.
DOOR PRIZE	Door prize of your choice.
TITLE SPONSOR	<i>Paul Davis Restoration Kitchener Waterloo, and Winmar Kitchener.</i>

### 2. Sponsor Information

COMPANY NAME

CONTACT NAME

ADDRESS

PHONE NUMBER

EMAIL ADDRESS

THANK YOU FOR YOUR SUPPORT AND GENEROSITY!

*\* Select preferred draw time on the registration form*



#### Submit Payment to:

The Insurance Institute of Ontario, Conestoga Chapter  
101–515 Riverbend Dr.  
Kitchener, ON N2K 3S3



## UMBRELLA INSURANCE POLICY: SHOULD YOU HAVE ONE?



Authored by:  
Theodore Madison  
Partner, London  
519.931.3524  
tmadison@millerthomson.com

### ***What is Umbrella Insurance?***

Personal umbrella insurance is a type of insurance policy designed to add extra liability coverage over and above another insurance policy, such as auto, boat, or homeowners.

The extra coverage applies when the liability limits of the above policies have been reached.

It also provides coverage for claims that may be excluded under other liability policies.

### ***What is Covered?***

Umbrella insurance covered:

- Bodily Injury claims arising from automobile accidents that are your fault, your dog biting someone, slip and falls in your home or injury to a third party occurring at your home;
- Property damage to another's tangible property arising from an automobile accident, your dog damaging another's property and damage caused to another by your child;
- Liability claims against you as a landlord;
- Libel and/or slander actions against you;
- False arrest or detention allegations against you;
- A claim against you for malicious prosecution;

- A claim against you for shock or mental anguish.

Example:

If your auto policy has limits of \$500,000 and you are involved in an accident that is your fault where damages exceed your policy limits.

If you have an umbrella policy, it will cover the excess claim up to its limits.

### ***Summary***

Umbrella policies are usually sold in \$1 million increments to stack on your existing auto, boat or homeowners policy.

Damage awards are ever increasing and people generally do not carry enough auto coverage for a catastrophic claim. So the answer is Yes, get yourself an umbrella policy to cover your assets.

*Theodore (Ted) Madison is a partner in the London office of Miller Thomson LLP. His practice focuses on insurance defence and plaintiff's personal injury work.*

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## **A Contractors Perspective on Environmental Insurance Claims**

With a growing population, and increased traffic on our highways, environmental claims are becoming more commonplace. This combined with environmental legislative and insurance policy changes makes it a challenging environment to navigate for both the insured/claimant and the contracting team. The question is, **How do you ensure the claim is addressed in a timely manner, on budget, and with the least amount of impact to property and the environment?**

The number one requirement for the success of any project is communication within the team. It is essential for the project team to be on the same page. The key questions to be addressed are: **Who, What, When, Where, and How.**

**Who:** Be sure to open lines of communication – Insured/Adjuster, Consultant, Contractor, and Regulator (if involved). It is vital for the team to have an understanding of the chain of command and who is taking the lead on the project. Clearly defining the team's responsibilities will provide the greatest likelihood of achieving the client's objectives and will also help to promote accountability within the team.

**What:** What was the impact of the spill and what is the claim intended to address? It is critical to understand what the real impacts of the spill are in terms of contaminant characterization and risks to human health and the environment. Not all contaminants are created equal in how you deal with them. DNAPL and LNAPL have very different characteristics in how they interact with soil and water.

**When:** What is the timeline involved? Is there requirement to re-open a highway, or get a resident/tenant back into their space? Knowing timelines and conveying a realistic schedule will assist in managing client expectations and providing an accurate budget.

**Where:** Understanding the limits of impact is going to dictate budget, timeline, and approach for the claim. Delineation of impacts is important to identify how far the spill/release has travelled. In recent years, a number of useful High-Resolution Site Characterization (HRSC) tools, such as Laser Induced Fluorescence (LIF) and Membrane Interface Probe (MIP) profiling, have enabled field personnel to identify limits of the contamination accurately and in real-time. This is especially useful in contaminants that are potentially migrating towards a sensitive receptor – there is no need to wait for analytical results to identify limits. Additionally, if the claim matures beyond the initial spill response into a large-scale remedial project, further delineation may be required to ensure timelines and budget are not exceeded.

**How:** How can we remediate the spill? Many environmental issues can be dealt with simply and quickly through conventional means, such as a tank removal, 'dig and dump' or dewatering and disposal of impacted groundwater. But what if it's not straight forward? What if your contamination has migrated deep in soils that cannot be excavated easily? Or maybe the groundwater is causing the contaminant plume to migrate off of the insured site. Other common issues relate to impacts lying below the slab and footings of an existing structure

that is being retained. What if it is just too costly to remove a significant amount of overburden, just to get at a tiny seam of contaminated soil? There are so many options on how to remediate – a wide variety of remediation approaches should be evaluated in order to select the *best approach* for treating/removing the contamination and managing your environmental risk!

Emerging technologies in the industry have given impacted property owners the option to deal with contamination *in-situ*, without excavation. There are endless technologies, chemicals, and treatment methods for this work, for example: **Bioremediation/Bioaugmentation, In-Situ Chemical Oxidation (ISCO), In-Situ Chemical Reduction (ISCR), Phytoremediation, In-Situ/Ex-Situ Thermal Desorption, Multiphase Extraction (MPE), Sub-slab Depressurization (SSD), Permeable Reactive Barriers (PRBs), and Pump and Treat (P&T)**. When properly selected and implemented, in-situ remediation technologies offer reliable performance and in many cases significant cost savings in comparison to conventional approaches.

Once we identify and fully understand what the contaminants are (i.e. *characterization*), and where they are located (i.e. *delineation*), we can start the discussion surrounding how to select and implement our remedial strategy – which is closely related to the when, or how long it will take to reach our objectives. Many factors need to be considered: **Are we doing source removal, or plume control?** – removing the contaminant vs. managing its risk; **Is there free product?** – product recovery is typically required prior to implementing other technologies; **Are the soils fine-grained (e.g. silt/clay) or coarse-grained (e.g. sand and gravel)?** – this will affect the hydraulic conditions for recovering water or distributing treatment reagents; **Are there breakdown or daughter products present?** – sometimes the breakdown daughter product (e.g. vinyl chloride) is more toxic than the original contaminant (e.g. TCE). **Is the subsurface environment aerobic or anaerobic?** – typically ISCO and/or aerobic bioremediation would be used to target petroleum hydrocarbons (PHCs), and ISCR and/or anaerobic bioremediation would be used to targeted chlorinated volatile organic compounds (CVOCs).

In order to have a successful remediation program, there needs to be a clear understanding of the environmental conditions and excellent communication between all stakeholders. Some of the most notable and successful remedial projects have been those where the environmental contractor worked closely with the client, consultant, and project owner during the early stages of the project to develop a clear execution plan, understood by all parties involved. This collaborative, team-based approach will ensure that your environmental claims are addressed and remediated as close to budget and schedule as possible.



**Devin Rosnak, Hon. B.Sc.**

Client Account Manager/Project Manager

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*Devin Rosnak has over 10 years of technical sales and client management experience in the environmental industry. In recent years, Devin has expanded his abilities into Project Management of remedial programs.*



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## CIGARETTES CAN KILL YOU, AND E-CIGARETTES CAN TOO!

By [Daniel Kabaroff](#) P.Eng.



Over the years, the health benefits of quitting smoking have been well documented; however, some former cigarette users are turning to e-cigarettes or "vaping" to help them quit. Vaping has also become popular among many people who have never smoked cigarettes. But e-cigarette use comes with its own set of risks.

E-cigarettes typically use a heated resistance coil to vaporize fluid containing nicotine and flavouring agents. The coil is powered by a control unit utilizing lithium-ion (Li-ion) batteries. Many of these devices use the popular 18650 type of Li-ion batteries. With coil resistances as low as 0.2 ohms and battery voltages of 4.2



V, these devices can draw over 20 amps of current! This is significant for a device that fits in the palm of your hand. The internal Li-ion batteries provide this power and have significant stored energy.

Dangers arise from this energy when it is not properly contained. There have been failures of e-cigarettes when charging as well as while they are being used.

A recent fire was caused when an e-cig battery failed while being charged, ruptured, and ejected hot gases out of the battery cap. This caused the e-cig to fly across the room and ignite nearby furniture. Had the resident not arrived home shortly after the fire began, the home could have suffered significantly more damage.

E-cigarettes have also failed violently during use or while not in use and stored in the user's clothing. An analysis of the US Consumer Product Safety Commission's (CPSC) National Electronic Injury Surveillance System (NEISS) between 2015 and 2017 indicated there were an estimated 2035 e-cigarette explosion and burn injuries admitted to US hospital emergency departments. A Florida man was killed in May 2018 from what investigators determined to be "a projectile wound to the head" caused by an exploding e-cigarette battery. Other users have suffered severe burns to their bodies such as a New York man who was injured in 2016 when an e-cigarette exploded in his pocket.



The mechanism of failure for e-cigarette fires and explosions is typically a failure of the internal lithium-ion battery. These batteries can fail due to external mechanical damage, severe use such as overcharging, or improper manufacturing. These failures are similar in that internal short circuits of the battery cells lead to thermal runaway and eventual violent ignition of the lithium inside. Some common types of manufacturing defects include metal contamination of the battery internals during manufacture or cell separators of uneven thickness.

There are some recommendations to keep users of e-cigarettes or other devices with lithium-ion batteries safe. Always use the provided charger that comes with the device. The use of off-brand chargers can lead to battery damage and failure. Do not charge the device while absent or sleeping. This increases the chance that a problem won't be recognized in the early stages. And finally, avoid the use of generic or low-quality lithium-ion batteries. As poor manufacturing is a known cause of failures, using high-quality items can help lower the risk of a potential hazard.

If you would like to learn more about this topic, or to send us an assignment, please contact Daniel Kabaroff, P.Eng at [dkabaroff@cep-sintra.ca](mailto:dkabaroff@cep-sintra.ca).

**Daniel Kabaroff, P.Eng.**

With CEP-Sintra since 2017, 13 years of experience

As a forensic engineer, Mr. Daniel Kabaroff specializes in the investigation of circumstances surrounding fires and failures that are electrical in nature. His broad experience and understanding of electrical processes, components and systems has led to the successful resolution of many fire and failure related claims.

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