

Atlantic INSURANCE BROKER



**PRESIDENTS'
MESSAGES**

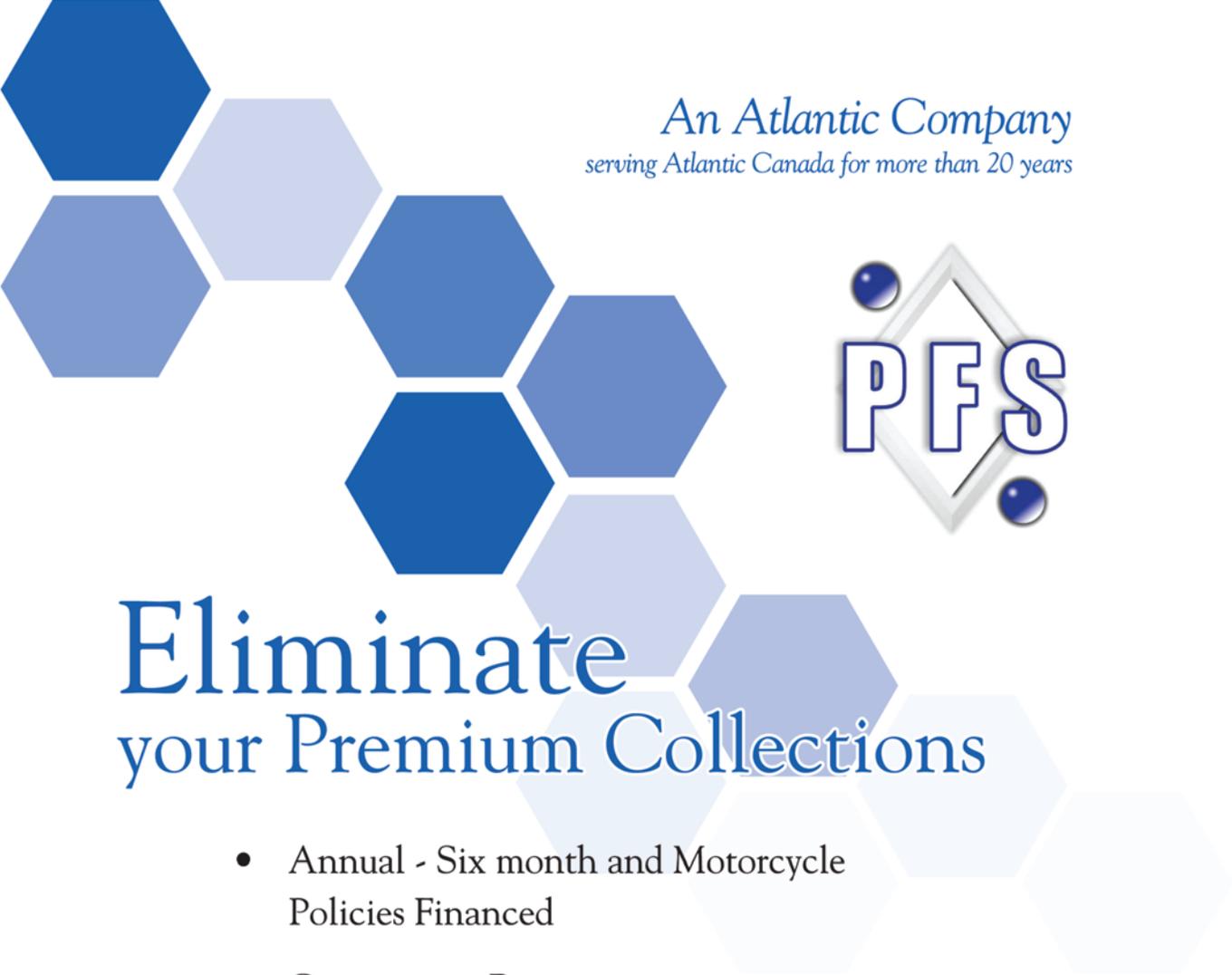
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Message from the President IBANB

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*Kirby Curtis, CAIB
President IBANB*

Warm summer days, vacations at the beach, and days at the golf course - it's easy to relax in the summer, but unfortunately, the political rollercoaster is in full swing. With our new provincial government and a federal election around the corner, we have to make sure that brokers are involved in political conversation surrounding the industry.

IBANB has a history of working closely with our political leaders and we continue to meet and attend functions for all political parties. We will continue to build on the political advocacy work by maintaining an open dialogue with our political representatives both provincially and federally.

Through our national association IBAC, our association participates in an annual Parliament Hill Day. This is an excellent opportunity for New Brunswick brokers to meet with their MPs in our nation's capital. With the federal election scheduled for the fall, this year's Hill Day adds a little more spice to the bowl. As usual, New Brunswick will be well represented.

We also enjoy a close working relationship with our sister associations. One initiative we are collaborating on is our joint convention with IBANS. The festivities will take place in Saint John, NB, October 7 & 8. I encourage all NB brokers to attend convention as it is a wonderful networking opportunity and a great time. For more information on the convention please contact the association office or visit the convention website at www.brokersconvention.ca.

IBANB will continue to work closely with the Superintendent's Office to address issues and concerns that impact our members and consumers throughout our province.

On the education front, we continue to offer a selection of courses and webinars. These tools are an excellent opportunity to bring value and knowledge to your office.

To our members, I want to thank you for your continued support and look forward to hearing from you with ideas and ways we can improve IBANB.

See you on the links!! ■

You may contact Kirby at (506) 843-6558 or via email at kcurtis@nb.aibn.com.

Chaleur estivale, plaisirs de la plage et journées de golf... il serait tellement tentant de profiter de l'été pour se détendre! Seulement voilà : le calendrier politique en a décidé autrement. À la suite de l'élection du nouveau gouvernement provincial et devant l'imminence de l'élection fédérale, nous devons nous assurer que les courtiers membres sont bien inclus dans les discussions portant sur le secteur.

L'ACANB a toujours travaillé de près avec les dirigeants politiques et nous continuerons à assister à toutes les rencontres sans égard pour l'allégeance politique. Et nous continuerons à miser sur la défense des intérêts politiques en entretenant un franc dialogue avec nos représentants provinciaux et fédéraux.

Par l'entremise de l'ACAC, notre association participe chaque année à la Journée sur la Colline du Parlement. Cet événement donne aux courtiers du Nouveau-Brunswick l'occasion unique de rencontrer leurs députés dans la capitale nationale. Cette année, il prendra une saveur toute particulière étant donné l'élection fédérale prévue pour l'automne. Le Nouveau-Brunswick y sera bien représenté, comme à l'habitude.

Nous avons également la chance d'entretenir une étroite relation professionnelle avec les autres associations de même type. Entre autres, nous collaborons avec l'IBANS à la tenue

du congrès conjoint, dans le cadre duquel des festivités seront organisées à Saint John, au Nouveau-Brunswick, les 7 et 8 octobre. J'encourage tous les courtiers de la province à y participer. Il s'agit là d'une formidable occasion d'allier l'utile du réseautage à l'agréable. Pour en savoir plus sur le congrès, contactez le bureau de l'association ou consultez le site web du congrès à www.brokersconvention.ca.

L'ACANB poursuit son étroite collaboration avec le bureau de la surintendante afin de régler les questions et les problèmes touchant nos membres dans toute la province.

Du côté de la formation, nous maintenons notre offre de cours et de webinaires, excellents pour renforcer la valeur de votre pratique par la connaissance.

Je termine en remerciant tous les membres de leur fidèle soutien. N'hésitez pas à nous faire

part de vos idées pour améliorer l'ACANB.

Et n'oubliez pas d'aller jeter un coup d'œil aux liens!■

Kirby peut être jointe au 506-843-6558 ou à kcurtis@nb.aibn.com.

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Message from the President IBANS



Glenna Boudreau, CAIB
President IBANS

What does it mean to be a broker?

According to the IBANS website, brokers offer a distinct advantage to consumers that other insurance intermediaries do not provide. The broker advantage includes: choice, professionalism, claims advocacy and service. We've been offering the Broker Advantage in Nova Scotia since Chesley D Fraser and W.Ritchie MacCoy formed the Association in 1949.

I believe as brokers we need to celebrate the successes we have achieved in dealing with some major obstacles over the years. One of the most significant challenges brokers have faced on a national level has been in relation to the Bank Act and the importance of upholding the Bank Act which prevents banks from retailing insurance at the point where credit is granted because it puts the consumer in a vulnerable position. Our national organization, IBAC has taken the lead in facilitating broker discussions with elected officials across the country which has resulted in our politicians supporting legislation which protects the rights of Canadian consumers.

A challenge brokers will face in the coming months will focus around the upcoming Federal Election in October. Our sources have shared the fact that 47 conservative MPs will be retiring, and their retirement will have a significant impact on the need to educate new MPs about the Bank Act and the role of the Insurance Broker as the consumer advisor and advocate. We have our work cut out for us but

as always brokers are up for the challenge.

Brokers face challenges also on the provincial level and one example that immediately comes to mind is Tort Reform of 2003-2004. Personally I'd rather forget the issues leading up to Tort Reform; however, it yielded significant dividends in the stability of this line of business. Consumers in Nova Scotia now enjoy some of the best auto rates in the country which is a result of all parties working together with the consumer's best interests in mind.

Moving forward as an Association, we need to focus on our effectiveness on all levels and how we are going to address future challenges. One thing we need to be cognizant of is how effective are we going to be as an Association if our membership keeps declining? Is our regulator and politicians going to continue to hear our message or seek our opinion if we are not the voice of the majority? Does it matter who owns a brokerage if they are offering choice, advocacy and service to the consumers? These are important questions we need to consider as we move forward in our role as consumer advocate.

Other associations have tackled this issue

and have examined their membership criteria to ensure the membership is reflective of the changing times. The conclusions reached by different associations are interesting to note: Saskatchewan (IBAS) have moved from ownership to operations in terms of determining who can be a member; Manitoba (IBAM) allows credit union owned brokerages (there are 40 of them); and British Columbia (IBABC) is reducing their Board of Directors from a six year commitment to four years as they are not getting broker principals to serve due to mergers and acquisitions. The bottom line is in order to remain effective; we need to be not only open to change but to be a leader in the process.

In Nova Scotia, our corporate membership has declined 33% in the past eight years due to mergers and acquisitions. Perhaps it's time we start having a conversation about our corporate membership category and who is permitted to join. We need to remember that throughout history there has always been strength in numbers so I will leave you with that thought. ■

You may contact Glenna at (902) 742-2000 or via email at, glenna@vaughne.com.



2015 Insurance Award Recipients: (L to R) Patricia Calder, MacLeod Lorway Insurance Group – Client Service Award; Suzy Maclellan, Founders Insurance Group – Professional Development Award; Robert Wilson, R.K. Wilson Insurance Services – Volunteer Service Award; James Mizzi, Macdonald Chisholm Trask Insurance – Young Broker of the Year; Robert Wrye, Portage Mutual Insurance Company – Insurance Representative of the Year; Connie Anderson and Haley Anderson, Anderson Brown Company Insurance – Brokerage of the Year



MLA Dinner: (L to R) Glenna Boudreau, President, IBANS; Jamie Baillie, Leader Progressive Conservative Party NS; Premier Stephen McNeil; Sarah Amirault, Chairperson, IBANS; Scott Conrad, Director, IBANS.



Premier Stephen McNeil signing a proclamation announcing April as Insurance Broker Month in Nova Scotia with Karen Slaunwhite, Executive Director (L) and Glenna Boudreau, President (R).



Window Decorating Contest: The winner of IBANS Window Contest was Zive Insurance.



Glenna Boudreau donating 75 Bipper blankets to a staff member from Metro Turning Point.



Congratulations 2014/2015 Graduates!



Amanda Burke, CAIB
Certificate of Completion
CAA Atlantic



Angela Turbitt, CAIB
AA Munro Insurance



Angela Zinck, CAIB
Mahone Insurance
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Brandi Bagan, CAIB
Satter Ratchford Insurance
(A Member of the Huestis Group)



Courteney Gallagher, CAIB
Johnson Inc.



Elisha Deamel, CAIB (Hon)
AA Munro Insurance,
Balfam Branch



Jai Michael Laba, CAIB
BF&G Insurance Limited



Jean-Marc Thibodeau, CAIB
BF&G Insurance Limited



Marianne Greene, CAIB (Hon)
D.R. Hayman Insurance



Melissa White, CAIB
Macdonald Chisholm Trask
Insurance



Renee Robarts, CAIB
Fairway Insurance Services Inc.



Rochelle MacDonald, CAIB
Guysborough Insurance
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Sissel Eknes, CAIB
A.P. Reid Insurance Limited



IBANS President **Glenna Boudreau** (Left) and **Katie Wilson Day**, Business Development Advisor with Economical Insurance (Right) present the Top CAIB Awards to **Elisha Deamel** and **Marianne Greene**

Graduates not shown:
Jonathan Kyle David Butts, CAIB
Steve Kimball, CAIB
James Joshua Miedema, CAIB
Patricia Taylor, CAIB



IBANS President **Glenna Boudreau** (Left) and **Katie Wilson Day**, Business Development Advisor with Economical Insurance (Right) present **Marianne Greene** with the Top CAIB 1 Award

Message from the President IBAPEI



Mark Hickey, CIP, CAIB
President IBAPEI

It's been a busy spring here on PEI with a Provincial election taking place on May 4th, which saw the incumbent Liberals claiming a third straight majority government. They came away winning 18 of a possible 27 seats, one of which had to be determined by a coin toss due to a tie after the judicial recount! IBAPEI has enjoyed a positive working relationship with the Provincial Government and we anticipate this will continue.

BILL 46 – DCPD

Bill 46, which was given royal assent May 14, 2014. It increased the bodily injury cap to \$7,500, revised the bodily injury definition and increased the accident benefits limits (\$50,000 for death and medical, \$250 for loss of income) effective October 1, 2014. Bill 46 also included provisions for direct compensation for property damage (DCPD). The PEI Government intends to implement DCPD effective for accidents occurring on or after October 1, 2015.

What is DCPD? Under DCPD, if you get into an automobile accident, then you present the claim to your own insurance company regardless of who was at fault. Under DCPD your own insurer will pay for that portion of your vehicle's damage for which you are NOT at-fault. If you have collision coverage under your policy, then your own insurer would also pay for that part of the vehicle's damage for which you are at-fault.

DCPD was implemented in New Brunswick in 2004 and in Nova Scotia in 2013. It allows the client to deal with their own insurance company during the claims process rather than having to deal with the at-fault party's insurer. It has proven to be beneficial to both the consumer and the insurer because there is less investigation, less subrogation activity, less litigation and speedier settlements. The fact that the insureds deal only with their own insurer creates a more streamlined process for consumers and allows the claims process to function more efficiently with the ultimate goal of the claimant receiving appropriate compensation more quickly.

IBAPEI understands that the PEI Government is partnering with the Insurance Bureau of Canada to provide a seminar on this topic. The tentative date is scheduled for September 15, 2015. IBAPEI will endeavour to contact our members with complete details of the seminar as soon as they become available.

A copy of Bill 46 is available at:
http://www.assembly.pe.ca/bills/pdf_chapter/64/4/chapter-36.pdf
The Standard Automobile Policy (PE-SPF No. 1) effective October 1, 2014, is available at: <http://www.gov.pe.ca/jps/index.php3?number=1027253&lang=E>

Parliament Hill Day

By the time this article is published we will have descended upon Parliament Hill with our unified message to MPs and Senators from across Canada. This is truly one of the most empowering experiences an insurance broker can experience and I look forward to providing a full report upon our return.

Enjoy the summer! ■

Mark may be contacted at (902)436-9215 or via email at, mark.hickey@hickeyhyndman.ca.



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Message from the President

IBAN



*C.J. Nolan, BBA
President IBAN*

Well, it's that time again when Canadians are enjoying evenings of BBQs, hitting the links for a game of golf, casting a line to catch their trophy fish or maybe just enjoying a nice walk in a warm summer's breeze. No matter what your preference is during the summer months, it is always nice to enjoy some outdoor activities with friends and family.

The Insurance Brokers Association of Newfoundland board of directors have been busy since 2015 began. We have been working hard on all fronts of our four main pillars; Education, Advocacy, Broker Identity Plan and Young Broker Network. With all of our directors focused on our current IBAN projects, coupled with the expected Provincial and Federal elections this fall, we still have a lot of work left ahead of us in 2015.

Education

Early in 2015, IBAN and the Insurance Institute of Newfoundland teamed up to establish a Joint Education Committee to further both groups educational opportunities for the insurance industry employees, partners and affiliates in Newfoundland and Labrador. We have been very successful in building some great educational seminars, to date, that have been embraced by brokers across Newfoundland.

In conjunction with the Joint Educa-

tion Committee, we have partnered with IBANS and IINS to offer the Coffee and Conversation series, which has been met with strong registration and attendance. We look forward to continuing to provide education seminars that are both insurance specific, as well as offering soft skills training in the coming months.

Advocacy

Our political advocacy with our Provincial parties and MHAs kicked into high gear in early 2015. We met with Liberal leader, Dwight Ball and his team in March. With the Liberals building strong momentum in Newfoundland & Labrador, taking the last seven By-Elections in a row, our IBAN directors had an enlightening meeting with the Liberal leader in continuing effort to build strong relationships with all of our Provincial Government officials.

In April, IBAN had the privilege to meet with Service NL Minister Danny Crummell, along with his Deputy Minister, Leigh Puddester, and Assistant Deputy Minister, Julian McCarthy. During our meeting, we were able to cover many topics that included the current automobile insurance product in NL, regulatory issues with insurance legislation in NL and continue our discussion to advocate for electronic liability cards in Newfoundland & Labrador in the future.

On June 2nd, brokers from across Canada will attend the annual IBAC Parliament Hill Day in Ottawa. IBAN has always had great response from our MPs and Senators who have embraced our annual advocacy day on the Hill. Once again, we have 11 meetings scheduled with our NL political representatives and we look forward to thanking them for the support of the insurance broker channel.

Broker Identity Plan

This past winter marked another successful winter in our "Goal of the Game" promotion with the local AHL team, the St. John's Ice Caps. IBAN's on-ice promotion with the Ice Caps once again saw a \$10,000 center ice shot winner this past season for \$10,000 going to 19 year old student, Nathan Chafe.

Our promotion also paid another \$10,000 to the charity of Nathan's choice, the Dr. Jack Hand Legacy Foundation. The funds raised by the Foundation help families concentrate on what's most important, helping them forget about costs. This helps provide families the reassurance they need to be there for their child while they are being treated at the Janeway Children's Hospital for a Hematology or Oncology-related illness.

Young Broker's Network

This summer will begin to heat up this year when the Young Brokers host their annual Softball tournament and Family Fun Day. Both these events have been circled on the calendars of brokers and industry partners alike since last year's events.

Along with the summer events, IBAN and the Young Brokers of NL would like to invite everyone to attend this years IBAN Broker Convention taking place on September 30 and October 1 at the Terra Nova Golf Resort. Latest feedback from the resort is that there are a very limited number of rooms left. We look forward to seeing everyone there!

Final Thought

With two fall elections upon us, a great quote by author Patricia Briggs in the book, Dragon Blood, comes to mind. "A man says a lot of things in summer he doesn't mean in winter." We can only hope that this is not case once the dust settles after both fall elections. ■

C.J. may be contacted at (709) 757-0505 or via email at, cjnolan@munninsurance.com.



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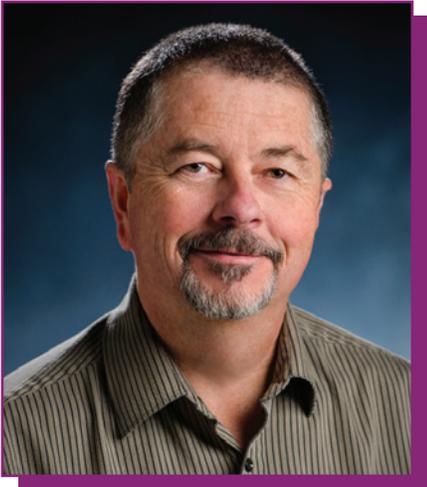


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Sell Yourself First



*Doug Daley
Kiers Marketing Group*

What do you sell? If you are reading this, then your answer is – insurance! Any purchase, including insurance, that is hundreds or thousands of dollars, is not taken lightly. It is important to understand that the final decision to buy may not come down to the details of the policy, or price of the product, it might come down to you.

Large purchases, like insurance, are not like going to a hardware store to buy a few nuts and bolts, where it really doesn't matter if the sales person is likable or not as it's just a hand full of hardware. If you are trying to sell a customer something that has a larger price tag, they are not going to buy from you if they don't like or trust you. Before you sell a product or service, you have to sell yourself first.

The important thing to remember: focus on the customer and their issues rather than yourself and your company. Be an intense listener, ask insightful questions and offer creative ideas. Once a client is comfortable and feels that you really do care about them, they will ask about your company.

If time permits, it is important to talk about subjects besides work. A healthy customer relationship can be built on talking about unrelated topics such as sports, hobbies, families, etc. Most anyone would rather talk about their favourite sports or their children's accomplishments than they would about work. That's human nature and it goes a long way to building rapport.

To take this one step further does everyone in your business treat customers the same way? My broker's office does. Every point of contact I have with them makes me feel like they really care about my business – from the receptionist to the owner. But, to do this, you have to have buy-in from your entire staff. Think about this: I go to my regular grocery store, the store I always go to because it is closest to my home and overall a good store. At the checkout, the cashier is having a bad day, clearly is not happy about his job, and makes errors on my bill, then acts like it is my fault and doesn't apologize for the error. Yes, I am not feeling the love in that store and decide that next time I'll go to the grocery store down the street. The \$5,000 to \$6,000 I spent annually at the store closest to my home has gone to another store just because everyone in the company wasn't on the same page about treating the customer with respect. The same could be true for your business. When one link of the chain breaks, the customer could be gone for good.

The old adage rings true, people won't buy from someone they don't like. This makes selling easy, often, all you have to do is to get someone to like you and you have a head start on the sales process. Think about this the next time you start a sales meeting, don't be in such a hurry to sell your services, sell yourself first. And make sure everyone in your office does the same. ■

Doug Daley is the Vice President of Sales and Marketing with Kiers Marketing Group in Fredericton. Doug can be reached at dda-ley@kiers.com or by visiting www.kiers.com.



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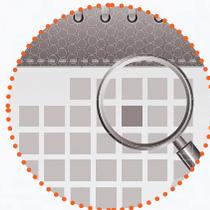
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IBANB CEO Report



*Andrew McNair, CAIB, CAE
IBANB Chief Executive Officer*

Relationships; these are what most successful businesses are built on. Relationships are the backbone of many aspects of the insurance industry. There isn't a broker anywhere that would deny the fact that the success of his or her brokerage depends largely on good relationships. Those relationships are with clients, insurance companies, suppliers, other local businesses, and in many cases, elected officials. Relationships are built through good communication, honesty and integrity, to name a few of the key elements to good relationships.

The communication part of relationship building can be done in many ways. However, the good old fashioned 'getting out there' and meeting people is one of the most tried, tested and true ways of doing it. Many brokers have built their successful brokerages through networking and handshakes. If you're an 'up and coming' broker, or even a seasoned broker, you need to be involved in your community. You must also attend industry events to help ensure that business relationships as well as client relationships continue to grow and thrive. With summer comes many opportunities to participate in community events in order to meet people in your community. This includes government officials such as your local MLA or MP as getting to know your elected officials can play an integral role in ensuring the success of your business or your career. You can also make yourself

available as a resource to your elected official in case they have questions or concerns about the insurance industry. They always appreciate knowing that they can rely on a professional to help them with any questions they may have themselves or from their constituents.

On the topic of relationships with elected officials, by the time you are reading this, six IBANB representatives, including myself, will have been to Ottawa to meet with MPs and Senators as part of IBAC's Annual Hill Day. This one day a year is when ~100 brokers from across Canada have the opportunity to meet with MPs and Senators to discuss many of the topics that affect brokers in their own towns and throughout Canada. Issues such as banks retailing P & C insurance, flood coverage, and the changing marketplace are just some of the issues that we are often discussing with our elected officials. I would like to thank the New Brunswick contingent that will have travelled to Ottawa for hill day; they include: Theresa Kimball, IBANB's current board chair and IBAC director; Bob Kimball, IBANB and IBAC Past President; Kirby Curtis, IBANB President and IBAC observer; Stephen Halsall, IBANB and IBAC Past President & current IBANB rep on IBAC political task force; and Robert Kimball, IBANB YBN Chair. Having travelled to Ottawa several times for hill day, I know that this year will be no different than other years; brokers will be welcomed onto the hill and into the offices of MPs and Senators as we always are.

I mentioned above the importance of getting involved in your community and meeting with your local elected officials. This year is no different. In fact, it is even more important than some other years because we have an upcoming Federal election. I encourage each and every broker to find out who will be running for office in your area and take the opportunity to meet them. Find out about who they are, and then find out how you can help educate them on issues important to brokers or how you might be able to help them. Building those relationships will ensure that they know who you are and what brokers do. We all know how much brokers do in their local communities and how valuable they are to their clients, but we

need to continue to make sure that others, including our elected officials, know as well.

As we finally transition into summer, I look forward to seeing many of you at events and meetings over the coming months. I encourage everyone to get out to a golf tournament, networking event, or BBQ fundraiser to show who you are and build the relationships that are key to your success. I'm a firm believer in the value of social media networking; however, I will always be an even bigger believer in face-to-face!

In closing, I want to encourage each and every broker to put this fall's IBANB/IBANS Joint Brokers Convention scheduled for October 7-8 in your calendar now! Plan on attending this valuable two day event where you will surely be able to build relationships that will last forever! Check out www.brokersconvention.ca for details and/or see the ad in this magazine.

Thanks for reading! ■

Andrew may be reached at (506) 450-2898 or via email at amcnair@nbinsurancebrokers.ca.



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So, consider your options. Stay where you are and get left behind. Or step up to the plate and be the best you can be. The best educators are waiting for you.

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IBANS Young Broker Network



*James Mizzi
Member, Nova Scotia YBN*

I am sure that every broker, young and old, is very happy to see that spring has arrived. With the worst winter in my young insurance career behind me, I think it's important to talk about claims.

There is no better opportunity to show what a broker can do, than when a claim has gone sideways for one reason or another. This past winter gave everyone the chance to help many people in need. As a young broker, I think we should always be looking to improve ourselves and know the best ways to help our insureds. I follow three principles when working with an insured through a claim - communication, advocacy, and accountability.

In my opinion, poor communication is the number one reason that a claim isn't perceived as being a good experience. As a broker, we can help with this process by setting expectations with clients. I try to advise my clients that it is normal during high call times to expect a few delays but if they haven't had action to contact me or the adjuster to help figure out why there is a delay. By reaching out to a client throughout the process, you can gauge how the claim is progressing and offer your support. You can nip a problem in the bud if you know about it early enough.

Advocating for our clients is part of the broker advantage. Insured's should be able to look to us to guide them through the claims process and have an empathetic ear to hear their position. This not only helps a broker set themselves apart from direct writers, it also helps

your clients greatly when we are able to step in and speak to an adjuster and perhaps give a different point of view.

It's important that the client be able to count on us to be there for them during a claim and also for the broker to make the insurer accountable to the insured. Knowing the product that the client has and what coverage they have in place is very important to accountability. If the broker doesn't understand the coverage, then how is the client supposed to understand it?

This past winter was an event like no other

that I have experienced before. With so many ice damming claims and water backups, I am sure there were a lot of questions for many of us who work with clients daily. Being prepared and knowing how to help will certainly go a long way in furthering your relationships.

I'd also like to say thank you to everyone who was able to make it out to the IBANS 10th Annual Golf Tournament – Hosted by the YBN, and all of our sponsors. A great time was had by all. ■

James may be contacted at (902) 421-2838 or via email at, james.mizzi@mcti.ca.

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- 10:00 am **Golf Tournament**
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- 5:00 pm - 9:00 pm **Meet & Greet / Tradeshow**
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Approximately 50 vendors will showcase their products and services.*
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-

Thursday, October 8, 2015

- 9:00 am – 11:30 pm **Tradeshow**
*Delta Brunswick Hotel
Approximately 50 vendors will showcase their products and services.*
- 9:30 am – 11:30 am **Education Sessions**
*Industry Update from Don Forgeron President/CEO of IBC
Cyber Risk & Cyber Coverage. Learn about this new reality in our industry. Speaker TBC*
- 11:45 am – 1:15 pm **Luncheon**
Tradeshow draws and other prizes will be presented at this time.
- 1:30 pm – 3:30 pm **CEO Forum – UNBSJ Grand Hall, 40 Charlotte Street**
- 6:00 pm **Presidents' Reception**
- 7:00 pm **Presidents' Dinner & Entertainment**
*Comic, actor, author, and host of Eat Street television series, James Cunningham will be your MC
and Entertainment for this Gala event.*
- 9:00 pm **Hospitality Suites**
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In With the New

MaryEllen Martin & Caryn Mahoney
Swiss Re Corporate Solutions

It has been said that, "One who buys has need of two eyes, but one's enough to sell the stuff". That's often true - unless you happen to be an insurance broker. In that case, you need two sharp eyes at all times: to be sure you know what "stuff" is for sale on the market and what your client is actually buying. If you don't, you may well be on the road to an E&O claim.

When a carrier sends out marketing brochures regarding new products or coverage extensions, the best practice is to read them and provide notice to your clients if appropriate. Otherwise when your client has a claim, they will surely say that if they had known about this new product, or that higher limits were available, or that they could have gotten the coverage without the exclusion, they certainly would have done so. In one recent claim the broker placed a Commercial Property policy for a building worth more than \$1million that had automatic sublimits of \$10,000 for sewer and water back up - but the carrier offered a new \$100,000 limit by endorsement. After a major water damage loss, the client insisted their broker should have told them about this new product because, of course, they would have purchased it.

With the arrival of new technologies, there is a constant flow of new insurance products like first party breach of data coverage, third party cyber liability coverage and insurance coverage for the use of commercial drones, e.g., in farming operations. Does your client have these types of exposures? Are these products being recommended to your client? Do you understand what they cover and do not cover? For example, if a carrier providing liability coverage to farmers including coverage for commercial drones used by the farmers to look at their crops, what qualifies as a covered invasion of privacy? When an incident occurs while using the drone, will the policy exclude it as an intentional act? Or does it qualify as an aircraft? If so, what coverage is being provided?

In other instances, you're not faced with a new product on the market, but rather, a product that is new to your customer such as Commercial Auto. Have you obtained the schedule of vehicles included on the prior policy? Have you asked for a current schedule and had the client sign off on it? When an accident happens and the involved vehicle is not scheduled, the broker is the first to be blamed.

If you are placing a policy for a new customer who is replacing a prior policy, have you compared the old and new policies for differences and pointed them out to your customer. For example, if the client is an auto dealership, does it drive vehicles off the premises to auto auctions? If so, is there an exclusion or physical damage limitation for vehicles 'not on premises' on the replacement policy that was not on the prior policy?

If you are placing umbrella coverage, have you confirmed that the underlying policies have the required limits? Perhaps you only placed the underlying Commercial Liability and Property policies, while another broker places the Commercial Auto. Which broker should be telling the client that he needs to raise his auto limits? In most cases, when the underlying limits turn out to be inadequate, creating a gap, both brokers will be brought into the lawsuit and left to fight out among themselves which had a duty to advise the plaintiff that his auto limits were inadequate.

With umbrella coverage in most provinces, on commercial leased vehicles, including tractor trailers, the lessor is only liable up to \$1,000,000. You need to ensure the umbrella extends to any such vehicles and that the lessor's insurance is recorded as underlying coverage

If you are placing new umbrella coverage, is there an exclusion in the umbrella not found in the underlying policy? Are there underlying policies that do not fall with the umbrella's insuring agreement? If so, you need to ensure that the client approves - or at least, is aware of - those differences. In one case, the client's intent was for its umbrella coverage to apply over the coverage provid-

ed for a long-term leased tractor/trailer. The wrinkle: primary auto coverage was provided through the lessor, but the tractor/trailer was plated in the client's name. When the vehicle was involved in a serious at-fault accident, the umbrella carrier denied coverage on the basis that the underlying non-owned coverage did not apply to a long-term leased vehicle and the lessor's policy did not qualify as underlying insurance to the umbrella.

Yes, there is an argument that the buyer needs to read the policy, too, but rarely does that prevent a claim from being made against the broker. Remember to ask all the right questions so you place the right coverage!

Other areas where brokers need to be diligent in addressing typical situations where new coverage or limits may create an E&O exposure for the broker:

- Jewellery or fine arts: Confirm that the sublimits for these items are acceptable. If you are aware of wealth, ask those questions.

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- Home value ‘Replacement Cost’ and ‘Guaranteed Replacement Cost’: Does this apply on older homes and is the bylaw coverage sufficient?
- Perils like sewer back up, flood, rentals and vacancy: Ensure that those issues and sub-limits are fully explained, both verbally and in writing.
- Are there oil tanks on the premises? Is the clean-up cost sufficient? If there is a detached garage how is it heated?
- Commercial: Fully explain ‘replacement cost’ – who owns what? Who is responsible for insuring things like tenant improvements? Look carefully at the stock. Are the sublimits on things like dyes, for example, sufficient? Can higher limits be purchased?
- Business interruption coverage is a big ticket item in the event of a fire. Most markets

offer one year but some will offer up to two. Ensure the worksheet is completed, preferably by the client’s accountant. Are the figures being provided to you “net”? The best rule of thumb is to insure limits closer to “gross” revenue.

- Fidelity and 3D policies require the previous year continuous coverage for prior acts to trigger.
- Boiler and machinery polices need to extend cover to production machinery.

A final big item to remember: when changing from an ‘occurrence’ policy to ‘claims made’ (or vice versa) be careful to avoid a gap in coverage. There is usually an exclusion for prior acts. (The same concern applies to replacing one ‘claims made’ policy with another.) Hindsight is a great salesman. Keep him away from your clients by keeping abreast of new risks, new products and new coverages and

sharing them with your clients in writing. That’s the best way to avoid new E&O claims. ■

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IBANS Professional Development Report



*Keri Foley, BTHM, CAIB
IBANS Professional Development Coordinator*

April Broker Month in Nova Scotia: IBANS Annual Graduation

“Education is not the filling of a pail, but the lighting of a fire.” -William Butler Yeats

On April 14, 2015, IBANS hosted its signature event, the Annual Awards & Graduation ceremony. This year’s event took place at the World Trade & Convention Centre, in Halifax, NS. IBANS was proud to recognize 16 students who obtained their Canadian Accredited Insurance Broker (CAIB) designation and one student who received a Certificate of Completion.

During the ceremony, we gave awards for the Top CAIB 1 Student as well as the overall Top CAIB Students. Marianne Greene, D.R. Hayman Insurance was our Top CAIB 1 Student with a mark of 87%. This year, we had a tie for the Top Overall CAIB Student. Awards were given to Marianne Greene, D.R. Hayman Insurance, as well as Elisha Deamel, A.A. Munro Insurance, Ballam Branch. Both Marianne and Elisha had a total CAIB average of 81%. ■

You may contact Keri at (902) 876-0526 or via email at, keri@ibans.com.

IBANS 2014/2015 Graduates



Brandi Bagan, CAIB – Salter Ratchford Insurance (A Member of the Huestis Group)

Amanda Burke, Certificate of Completion, CAA Atlantic

Jonathan Kyle David Butts, CAIB- Aon Reed Stenhouse Inc.

Elisha Deamel, CAIB (Hon) – A.A. Munro Insurance, Ballam Branch

Sissel Eknes, CAIB – A.P. Reid Insurance Limited

Courtney Gallagher, CAIB – Johnson Inc.

Marianne Greene, CAIB (Hon) – D.R. Hayman Insurance

Steve Kimball, CAIB –SMK Insurance Limited

Jai Michael Laba, CAIB – BF&G Insurance Limited

Rochelle MacDonald, CAIB – Guysborough Insurance – A Member of the MacLeod Lortway Group

James Joshua Miedema, CAIB –Fulton Insurance Agencies Ltd.

Renee Robarts, CAIB – Fairway Insurance Services Inc.

Patricia Taylor, CAIB –Clayton Spicer Insurance – A Member of the Huestis Group

Jean-Marc Thibodeau, CAIB –BF&G Insurance Limited

Angela Turbitt, CAIB – A.A. Munro Insurance

Melissa White, CAIB – Macdonald Chisholm Trask Insurance

Angela Zinck, CAIB – Mahone Insurance – A Member of the Huestis Group



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Staying On Top of Industry Trends – Opportunities for Brokers



*Grant Patten
Communications Specialist, CSIO*

Trends within the insurance industry are changing now more than ever, with the introduction of telematics and Google Compare being just two recent examples of this evolving landscape. Trends offer brokers opportunities to continuously improve their processes and enhance the customer experience. CSIO assists brokers in keeping up with such trends by developing various educational materials and resources under its Advisory Services initiative. In March, for example, CSIO released several search engine optimization (SEO) materials, including an in-depth white paper and educational videos. It's no surprise an increasing number of customers are using the internet to conduct their insurance research and creating and implementing an effective SEO strategy is certainly one of the best business decisions a broker can make to keep up with this important trend.

Mobile Apps (And Mobile Sites)

71% of customers use the internet to research insurance before making a purchase, and nearly 70% would be willing to download and use a mobile app from their insurance provider (PwC survey, 2014). Customers have gone digital; they expect their insurance brokers to do the same.

Sharp Insurance, based in Alberta, is one brokerage that has demonstrated the ef-

fectiveness of a mobile app in meeting customer needs. Their MySharp app provides customers with their vehicle information, deductibles and coverage right on their phone. The app also includes a function where customers can recreate the scene of an auto accident, documenting all the necessary information to help process their claim as quickly as possible.

A mobile app is definitely a good complement to having a mobile-optimized website, and if you don't currently have one for your brokerage, you should consider optimizing your website for mobile before anything else. With the April 2015 Google algorithm update, having a mobile-optimized site is now essential for getting your website found on the first page of Google search. A mobile app could be created to provide additional functionality to your customers, beyond what a website can offer. As Sharp Insurance has demonstrated, a mobile app can enhance the customer experience by making vital insurance information easily accessible to them.

Creative Social Media Marketing

73% of adults use social networking. Facebook is the dominant platform, but many users are now diversifying onto other platforms (Pew Research Report, 2013).

Brokers have surely heard by now about the benefits of establishing a social media presence. But what are some specific marketing tactics that brokers can implement on social media in order to attract new customers and engage existing ones? Here are four helpful principles to keep in mind:

1. Become a trusted advisor
2. Be personable
3. Respond rapidly to new situations (weather warnings, news in the area, etc.)
4. Target messages to each platform

Cooke Insurance Group, based in PEI, is one brokerage doing an excellent job with establishing an effective social me-

dia presence. On their Facebook page, they engage followers by providing advice on an issue plaguing many Atlantic homes in winter months – ice dams. They also use Facebook to post messages on topics that are not directly related to their business, such as food drives and issue awareness raising, presenting the human and relatable side of their brokerage. Customers on social media often appreciate when posts aren't simply sales pitches, and this can help generate loyalty toward one's brand.

Wedgwood Insurance, based in Newfoundland, also does an excellent job on social media, and they exemplify the fourth principle of "targeting messages to each platform", i.e., they don't simply duplicate the same post across all social networks. For instance, they use Facebook to promote a "Rules of the Road" quiz for customers, while on Twitter they make use of popular, relevant hashtags such as #nlweather to boost engagement with their content.

Google Compare

Another interesting statistic is that 54% of auto insurance shoppers use online quoting (JD Power, 2011). This bodes well for Google's new auto insurance quote comparison tool. Google has been offering policy comparison services in the UK for the past two years, and in March was licensed to operate in more than half of the US. This development has resulted in some trepidation within the industry that Google's new online service will hinder the business of many independent brokerages, but this does not have to be the case at all. In fact, brokers can use the development of a tool such as Google's to reaffirm the unique benefits that they bring to customers as independent brokers.

For every touchpoint that brokers have with potential and existing customers, they must reinforce the unique value proposition that they hold over mass aggregation services such as Google Compare: superior service combined with meaningful relationships. Adopting technology that provides superior customer service, such as eDocs and eSig-

natures, while retaining tried-and-true broker principles of personal interaction, a strong local community presence and personalized advice to their customers will no doubt allow brokers to compete effectively against Google and other disruptors that appear in the future.

Industry Engagement

CSIO is excited to attend the IBANB / IBANS Joint Broker Convention in October! As the theme of this event is to be "Focused on the Future", we invite you to stop by our booth and let us know what you think will be the next industry trend to change the way the broker channel does business.

You can also engage with others in the industry using the CSIO eXchange, which is a discussion forum with the express purpose of facilitating collaboration, conversation and engagement between all CSIO members. Access is included with your CSIO.com login credentials, and participants may post on any topic related to business operations in the broker channel. Visit CSIO.com/csio-exchange to join the conversation.

CSIO Membership

Members of the Atlantic broker associations are automatically members of CSIO, and can sign up for the eXchange, mailing lists, industry forms, and more at CSIO.com/request-membership. ■

Grant may be contacted at (416) 360-1773, ext. 2324 or via email at, gpatten@csio.com.



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QUICK VIEW

Name:

Angus-Miller Ltd.

angusmillerltd.com

Grant Kimball: President

Susan Coleman: Administration

Location:

Saint John, New Brunswick

Product:

IBANB Cloud Backup bundle with 30 daily full backups, 11 monthly and 7 annual retentions with 2 copies in the Cloud. Cloud Disaster Recovery (CDR) to protect against serious issues such as facility loss, theft.

Previous Environment:

Tape/USB drives backed up daily and carried home with non-IT administrative staff member. Limited retentions of only a couple of weeks.

Challenges:

Not meeting Lloyd's of London Audit Requirements/Regulations

Insufficient Disaster Recovery and Business Continuity plan

No on-site IT Department

Finding a Cloud Solution Partner with expertise in the Insurance vertical

Angus-Miller Ltd. is a full service MGA with product offerings including Personal Lines, Commercial Property, Commercial liability, Commercial Auto, Professional Liability, Surety, TIC Travel Insurance, Boiler and Machinery as well as unique Hole-in-One insurance.

Challenges:

As business owners in a highly regulated industry one of Angus-Miller's main business concerns was being compliant with one of their main suppliers: Lloyd's of London. As a team they placed a high priority on moving to a data backup system that gave them assurance that their data was backed up and done in a professional manner.

Another challenge this MGA faced and wanted to remedy was their reliance on one person to manage their backups using tape/USB drives.

Without a dedicated, on-site IT department Angus-Miller felt vulnerable in the event of a major data loss. They have suffered data losses in the past in which the recovery process was not 100% successful. Their goal, in the event of a data disaster, was to be able to reach out to their new cloud partner and get assistance quickly so they could be up and running with very little downtime no matter how severe the on-site data loss.

Unique Requirements:

Meeting Lloyd's of London requirements in order to pass an external audit that involves four Lloyd's contracts with four different auditors.

Steps:

Angus-Miller was contacted by Stage2Data and they also were referred through an Insurance Broker's convention in Charlottetown.

Angus-Miller considered a few alternatives to Stage2Data including their local phone company. When the local company presented their Needs Assessment to Angus-Miller it was clear that their offering and expertise was very generic. It was apparent they did not have an understanding of their specific vertical (insurance). Angus-Miller did not want to work with a company that was offering an application that could be applied to any business, they wanted a partner with specific insurance expertise.

Goals and Objectives:

Meeting Lloyd's of London audit processes

Eliminate non-IT staff being responsible for IT functions

Business continuity in a disaster with little downtime

Peace of mind

“I'm a firm believer in sticking to what you know and outsourcing to professional partnerships where you lack expertise. I need my people focusing on the growth of our company not worried about the back end when we can partner with a company like Stage2Data and let them handle it for us.”

- Grant Kimball
Angus-Miller Ltd.

Stage2Data was chosen for its expertise in the insurance vertical, proven by its Affinity Partner title through provincial insurance associations across Canada. The Association Affinity Partner title gave Angus-Miller confidence and that played a large part in convincing them that Stage2Data was the right partner for them. Angus-Miller also spoke with another IBANB member who already signed up for the same program and were quite happy.

Reflections on IT Quote vs. Reality:

Grant Kimball says, "In our experience when we are working with outside IT companies the rule is to take what they give us as a quote and double it, then add 50%. Plus, we add in twice the time for implementation. When we worked with Stage2Data I thought this would be the case. But the exact opposite happened. The price they gave us was competitive and reasonable and they stayed true to their word on everything they offered." The project implementation was on time and exactly on budget.

Words from Non-IT Administrative Staff previously responsible for Data Backup:

As the team member responsible for Data Backup (tape) before Stage2Data, Susan Coleman self-identifies herself as a 5/10 on the IT scale. Susan was an early adopter when it came to Cloud Backup due to her experience with tapes being damaged and unable to recover data in the past.

Sue says, "I was the person carrying a backup tape for 10 years or more. I would take it home at night and carry it back in with me in the morning. It was my role to change the tape and do the backups. Our data has grown substantially over the decade. We have so much more important data to protect now. I was concerned because our server had been stolen once and we lost data previously because of the power going out. Each time we went to recover there was always some data missing.

Our data was too important to lose. I just wasn't comfortable with one person doing the backup on tape. I encouraged the team to prioritize disaster recovery not only for our Lloyd's of London audit but also for peace of mind in every aspect of data protection."

Installation and Implementation:

According to Sue, who was the point person working directly with Stage2Data's implementation team, "The process was just easy. I really didn't have to do anything difficult. They instructed me step by step on what I needed to do and I did that. It worked the first time. It was nothing complicated. Now we've stopped using tape and the new system does everything. Our level of confidence is complete."

Results:

Full confidence in passing the Lloyd's of London audit as Angus-Miller can now provide documentation of secure, encrypted off-site storage with redundant (2) copies in the Cloud, provide them with a technical Disaster Recovery plan that has been tested and fully documented to confirm compliance with their audit requirements.

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IBANS Executive Director's Report



*Karen Slaunwhite,
BA, BPR, MEd, CAIB (Hons)
Executive Director IBANS*

Some things just never get old and IBANS Broker Month is one of these things. The Association recently celebrated its eighth Annual Broker Month, which was once again a huge success.

To kick off the month Premier Stephen McNeil signed a proclamation declaring April as Insurance Broker Month in Nova Scotia. IBANS tries to utilize the entire month to celebrate excellence in our channel and promote the broker profile. We have a number of annual events that take place however each year we try to develop additional opportunities to celebrate the profession and everyone working in it.

One of our most popular annual events is our **Insurance Awards Dinner and Convocation**. Once again, we had a full house of guests to recognize the academic achievements of our graduates, and were fortunate to have 13 of the 17 in attendance. IBANS also presented its Insurance Industry Awards and is pleased to announce the recipients:

- Volunteer Service Award: Robert Wilson, RK Wilson Insurance Services Inc.
- Young Broker of the Year Award: James Mizzi, Macdonald Chisholm Trask Insurance
- Client Service Award: Patricia Calder, MacLeod Lorway Insurance Group

- Professional Development Award: Founders Insurance Group Inc.
- Insurance Representative of the Year: Bob Wrye, Portage Mutual Insurance
- Brokerage of the Year: Anderson Brown Company Insurance

In addition, each year since 2013, the Association recognizes corporate member employees with 25 years or more of continuous service to the broker profession. We commemorate this significant milestone of service for those individuals by issuing **Long Term Service Award** certificates and acknowledgement during the award dinner.

On April 8th, IBANS hosted an intimate dinner with members and our provincial MLA's. We were pleased to have Premier Stephen McNeil, and Progressive Conservative Leader, Jamie Baillie in attendance. The **MLA Dinner** brought out 27 MLA's and 24 brokers and provided an opportunity for members to meet with their elected officials to discuss insurance issues affecting Nova Scotia.

Since giving back is important to IBANS and its members, each April as part of Broker Month the Association donates 75 Bipper Blankets to Metro Turning Point, an emergency shelter for men experiencing homelessness in Nova Scotia. The blankets are always appreciated and it's a good feeling to know that

when the men are ready to leave the shelter, they are able to take their blanket with them as it is often the only one they own.

Some of our newest activities for the month included: A weekly contest for members whereby they had to respond correctly via email to questions and information found on our website; a Window Display Contest for corporate members to enhance the visibility of the BIPPER at a grass roots level. The winner of the contest was – Zive Insurance; partnering with the Clean Foundation to offer free community workshops on ways property owners could assist themselves in mitigating water issues and an expanded advertising campaign that included the launch of our new Facebook page; online advertising via Twitter and Facebook, coordinated radio ads, a one page feature in our provincial newspaper, The Chronicle Herald and overlapping advertising in *Saltscapes Magazine* and their online Viewpoints pages. We even had a member distribute information to consumers at the Halifax Home Show on water prevention tips to match individual ads places throughout the month in The Chronicle Herald. To cap off the month our graduates were featured in the provincial paper.

We would like to thank everyone who helped make our eighth annual Broker Month such a success. ■

You may contact Karen at (902) 876-0526 or via email at, karen@ibans.com.

IBANS Long Term Service Awards

The strength of the Insurance Brokers Association of Nova Scotia (IBANS) has always been dependent on the spirit and dedication of its members. Therefore, in 2013 IBANS launched a Long Term Service Award program for corporate members to coincide with the BIPPER's 25th Anniversary. The program acknowledges those employees with 25 or more years of continuous service in the broker channel. Listed below are our most recent recipients.

Anderson Brown Company Insurance
Anderson Brown Company Insurance
MacLeod Lorway Insurance Group
MacLeod Lorway Insurance Group
Strum Insurance
W.C.L Bauld Insurance
W.C.L Bauld Insurance

Tom Anderson
Jo-anne Lanigan
Scott Huntington
Nicolle Crowell
Rhonda Church
Dennis Crowell
Marilyn McLaughlin

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Last winter was tough. Did our customers have the insurance information they needed?



*Amanda Dean, BPR, MBA
Atlantic Vice-President,
Insurance Bureau of Canada*

I had mixed feelings a little while back as I read a news item on the CBC website called “6 big home insurance misconceptions”.

The six misconceptions in the article included the need to have someone check your home if you’re away for any length of time in the winter; that there are coverage limits on jewellery and rare items (like stamp collections); and that sewer back-up and earthquake are not automatically covered under a standard homeowner’s policy.

On the one hand, it was nice that the CBC was helping to raise awareness, and I was pleased to see that knowledgeable insurance experts were featured prominently in the piece.

On the other hand, isn’t it a shame that this sort of piece is still needed?

Common practice does not equal common knowledge

The piece stated: “What’s common practice isn’t always common knowledge in the home insurance business.” I think there’s a problem with that. If these rules and practices, which exist for very good reasons, are indeed “common” misunderstandings, we as an industry have to find new ways to get these messages in the knowledge bank of our customers – everyone, from industry associations, to senior officials, to front-line staff have to play a role in educating our customers about our products.

It’s not easy, I know. When it comes to insurance, people, for the most part, only care about price and might not want to spend a lot of time thinking about their coverages until they’re in a potentially stressful claim situation – at which point, it becomes critical to learn what they need to know about the policy they bought. I also know that many industry web sites contain a wealth of knowledge and information. We just have to find opportunities to get customers attention; one of which is when general interest in the product is high.

This past winter in Atlantic Canada certainly provided opportunities. Here’s another CBC headline, this one from February 5 of this year: “[Winter weather warnings issued once again for Atlantic Canada.](#)” That pretty much sums it up, doesn’t it? This past winter saw overwhelming amounts of snow, state of emergency declarations, extreme cold alerts, and days where people couldn’t get outside for all the snow piled up in front of their homes.

There was no shortage of claims stemming from ice damming, roof collapses, and probably more than a few frozen pipes as well. No doubt the slippery roads led to a spike in auto claims, but the hot subject these days is certainly property insurance.

From February and into the spring, IBC issued media releases urging residents to stay safe, check their insurance coverage, contact their insurance provider, and take action to prevent damage to their home, as long as it is safe and appropriate to do so. These resulted in multiple radio, print and television interviews during which we were able to provide advice on the types of property damage and how to handle the claims process.

We also needed to deal with the reality of maxed out claims departments in the region.

We worked with provincial governments to ensure that the issuance of temporary insurance adjuster licenses could happen quickly, if needed, to bring in out-of-province adjusters to help with larger-than-normal claims volumes.

IBC – helping elected officials help consumers

As always, it is critical to give advance notice to decision-makers when a high volume

of claims is pushing claims adjusters and local contractors to maximum capacity. If it’s possible that elected officials are going to hear from constituents about the impact on the rebuilding process, better that they hear it from industry first.

As I write this, we are in early spring, so we are bracing ourselves for the kind of claims that often come ‘flooding’ in (pun intended) this time of year. Our industry is still under a heavy workload from the winter.

A critical role that IBC plays is to provide support for elected officials, and prepare them to handle questions and concerns from their constituents, as they are looked to for information on a host of things. To that end, this winter, we sent to every MLA in the region a package of materials they could use. It included:

- A print ad that we ran in daily newspapers. The ad, headlined “This winter was tough, Together we are tougher”, contained FAQs about insurance and winter damage, dealing with issues such as whether ice damming and snow melt are covered. The ad also prominently featured our Consumer Information Centre phone number: 1-844-ASK-IBC ext. 228.
- Information and tips for how to deal with melting ice and snow. Tips included clearing a path for water to drain away from the house, check catch basins on street to ensure they are not obstructed, inspect your sump pump, and watch for snow and ice that may fall from overhead.
- An IBC Consumer Information Centre postcard for consumers.

There was opportunity, and need, this past winter to educate about property insurance policies – and we did that. The entire industry was called upon to do just that. But there is much more to do. Insurance is complicated. At IBC, we’re always looking for ways to get important and factual information in the hands of consumers, and we are thrilled to work collaboratively with IBANB, IBAN, IBANS and IBAPEI in those efforts. ■

Amanda may be reached at (902) 429-2730 ext. 225 or via email at, adean@ibc.ca.

“We’d move
to be closer
to our
grandkids.”

Greg & Ameena,
62 years old



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ClaimsPro Strengthens its Atlantic Canada Coverage with the Acquisition of Plant Hope Adjusters

Canada's leading provider of independent adjusting services recently announced its acquisition of Plant Hope Adjusters. We are thrilled the Plant Hope team will be joining us as we continue to provide Atlantic Canada with all its adjusting needs.





Fred Plant, AIIC
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Operations, Atlantic Canada
506.853.8507



Wayne Guy, CIP
Vice President,
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709.256.2187

Insurance Claims and the Duty to Cooperate

*Kyla Russell & Gregory Hardy
C3 Legal*

People buy liability insurance to protect themselves against accidents. They buy it with the hope that they never have to use it, but with the comfort that it's there if they need it. But when accidents happen and your clients are thrust into the claims process, they don't always know what to expect.

For brokers, insurers, and insurance lawyers, insurance claims are everyday practice. For insured clients, the process is often new and unsettling. When people don't know what to expect or have a different expectation of what the process involves, they can become defensive and at times, argumentative.

When your clients call to report a claim, help them understand what to expect during the claims process. It is a good practice to explain to your clients that they have a duty to cooperate, why they have to cooperate and what that cooperation includes.

Your clients usually know that an accident has to be reported to their broker or their insurance company. Many assume, however, that their responsibility stops at the initial reporting. They assume the problem will be taken care of. After all, that is why they purchased insurance—to have it looked after if something happens.

What many clients don't realize is that their insurance policy contains a duty to cooperate. If they do know such a duty exists, they don't always know what it involves.

What is a duty to cooperate?

Insured clients have a contractual duty to cooperate. Their policy is a contract between their insurer and them and usually includes a clause requiring them to cooperate with their insurer. The duty to cooperate exists so that a claim can be defended reasonably and properly.

The duty to cooperate starts with the insured's requirement to notify their insurer of the accident. Once the accident is reported, the duty to cooperate extends to information gathering, giving statements,

and evidence preservation. All of which should be done in a truthful manner.

If the claim progresses to a legal action, the duty to cooperate also includes possible attendance at discovery and at a trial.

What happens if insured clients don't cooperate?

Occasionally, clients complain about losing income or vacation days as a result of having to give a statement, attend discovery, or show up at trial. Their complaint often disappears when it is explained to them that if they do not cooperate, they may be responsible for paying the entire claim themselves.

When your clients report a claim, explain to them that failure to cooperate can result in the insurer's refusal to defend the claim or to provide indemnity. This explanation should be done calmly, clearly, and in language they understand. Clients should understand that it is part of the contractual relationship to cooperate with their insurer.

How long does the duty to cooperate last?

You should also explain to your clients that their duty to cooperate extends through the entire claims process. This process can be lengthy, especially if a legal action results.

As we all know, it can take years from the time a claim is opened until it is resolved, but your clients don't know this. Many clients have never been through a claim process before, especially one involving a third party who may bring a legal action.

Some claims are settled relatively quickly, but third parties have a limitation period within which to start a legal action. Limitation periods are years long, and for claims involving children, the limitation period does not start until the child turns 19.

Clients should be told that the claims process can take years and that it can result in their being served with a Notice of Action. With this knowledge, clients will not be taken completely aback if they are served with a Notice of Action. Otherwise, without any expectation that an action may re-

sult, service of a document on your client that sues them can make them feel threatened. They may feel uneasy and they might not be as willing to cooperate. Help put your clients at ease by sharing the process with them in advance so they know what to expect.

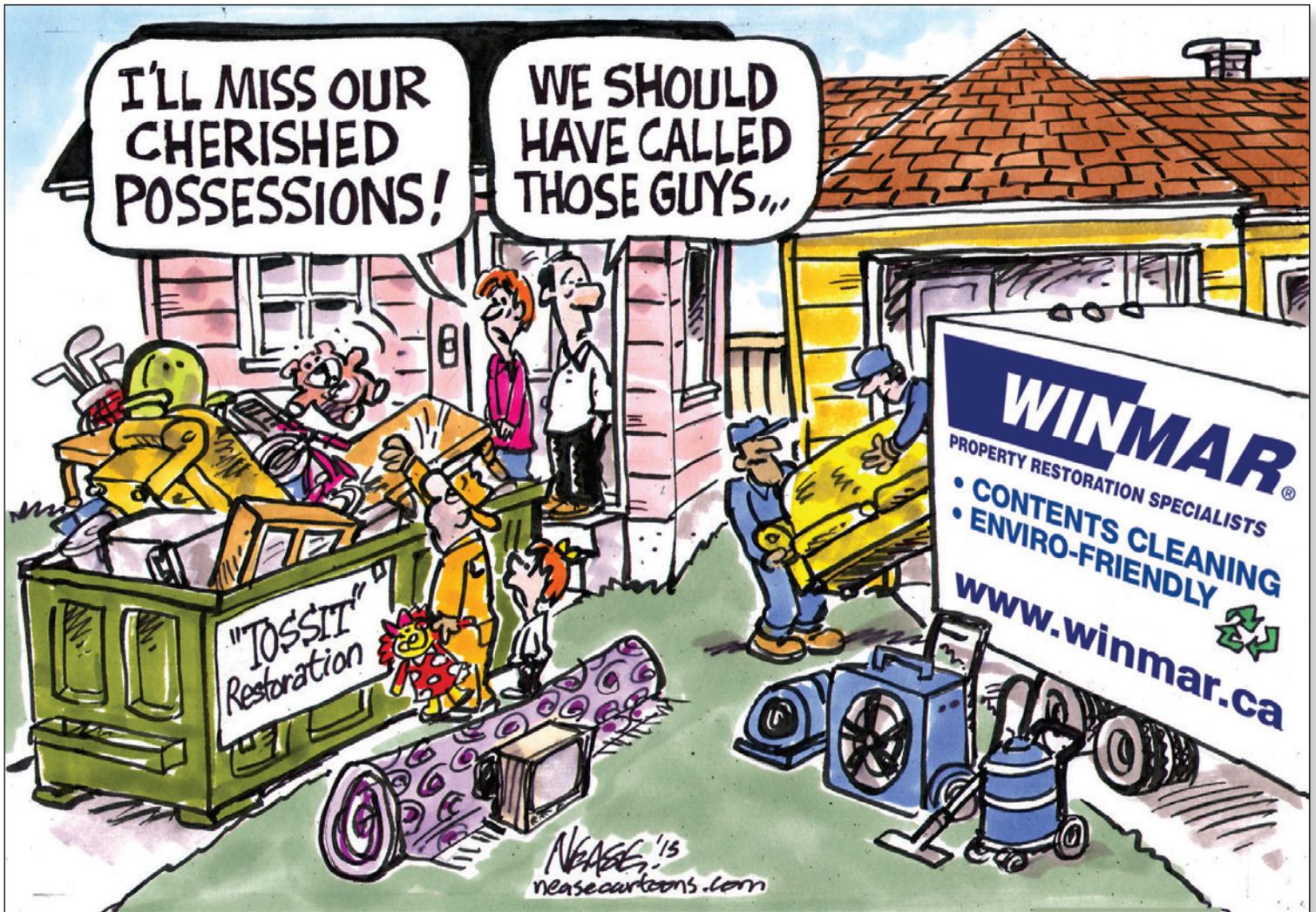
Once your clients notify you that they have been served, remind them that their duty to cooperate continues and that they have a duty to cooperate with their defence lawyer. Remind them that the duty includes, among other things, attendance at discovery and trial as required.

A final word

Letting your clients know what to expect and what is expected of them goes a long way to making the claims process easier for them to understand. Explaining to them that they have a duty to cooperate and that duty extends through the claims process, which can take years, might not always be welcome advice to your clients. But it is knowledge they need to have so they are not overwhelmed and are willing cooperate with you and their defence lawyer. Communication and cooperation make the process easier for everyone. ■

Gregory Hardy is a lawyer at C3 Legal Inc. Kyla Russell is a legal analyst who provides legal writing and research services to C3 Legal Inc. C3 Legal Inc. is a modern insurance defence law firm that takes a fresh look at services for the industry.





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CALENDAR OF EVENTS 2015

MAY

28	IBANS YBN Annual Golf Tournament	Oakville, NS
31-1	IBAC Board Meeting	Ottawa, ON

JUNE

2	IBAC Hill Day	Ottawa, ON
3	IBANB Getting Started in Commercial Lines Webinar Part 2	
3	National Young Broker Forum	Ottawa, ON
10	IBANB Getting Started in Commercial Lines Webinar Part 3	
16	IBANB Board Meeting	Fredericton, NB
17	IBANB Getting Started in Commercial Lines Webinar Part 4	
18	IBANS Board Meeting	Halifax, NS

JULY

8	National CAIB/CPIB exams	various locations
15/16	Council of the Federation	Newfoundland

AUGUST

25	IBANB Board Meeting	Fredericton, NB
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SEPTEMBER

2	IBANB Annual Golf Classic	Fredericton, NB
9	National CAIB/CPIB exams	various locations
16	IBANB Customer Service Tune Up Webinar	
30	IBANS Annual General Meeting	Halifax, NS
30-1	IBAN Convention	Terra Nova, NL

OCTOBER

7/8	IBANB/IBANS Brokers Convention	Saint John, NB
29	Annual General Meeting/Broker Awareness Day	Fredericton, NB

NOVEMBER

7	Insurance Industry Convocation	St. John's, NL
18	IBANB Insurance Solutions for Condo Owners Webinar	

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