

Insurance Claims Process: Tips and Resources for Housing Staff

Who Do I Contact?

Property Claims - Crawford

Call: 1-866-532-7315

(24/7 call centre with the ability to dispatch emergency contractors)

Liability Claims - Crawford

Call: 1-866-532-7315

Email: NewCrawfordClaims@crawlco.ca

(CC: insurance@hscorp.ca)

Please have ready your:

Certificate Number

-or-

Policy Number on Pink Slip (Vehicle Accident)

D&O / Employment Practices Claims - Marsh

Call: 1-855-627-7454

Email: toronto.claims@marshcanadaclaims.com

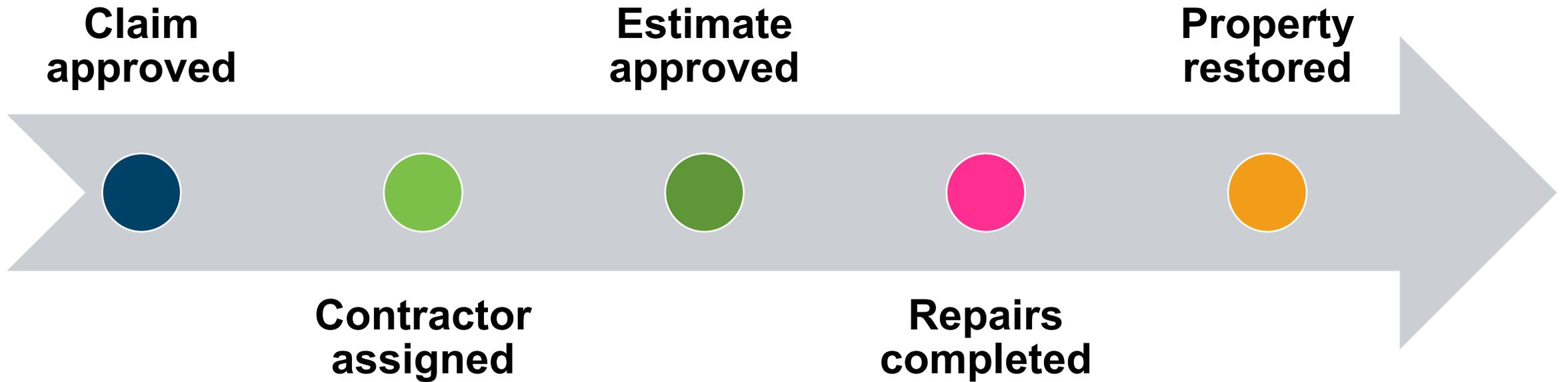
(CC: insurance@hscorp.ca)

Company Vehicle Claims - Aviva

Call: 1-888-607-9410

Email: newgcsclaims.ca@aviva.com

Property Claims Process



Claims Scenario

Fire at multi-story complex

- Extreme winter weather conditions
- Displaced residents

BARRIE | News

One person is dead, an entire building displaced in Collingwood Ont. apartment fire



CANADA

Oshawa apartment fire leaves several tenants homeless

By [Aaron Streck](#) · Global News

LONDON | News

Six people escape New Year's Day house fire in east London, Ont.

Identification and Accessibility

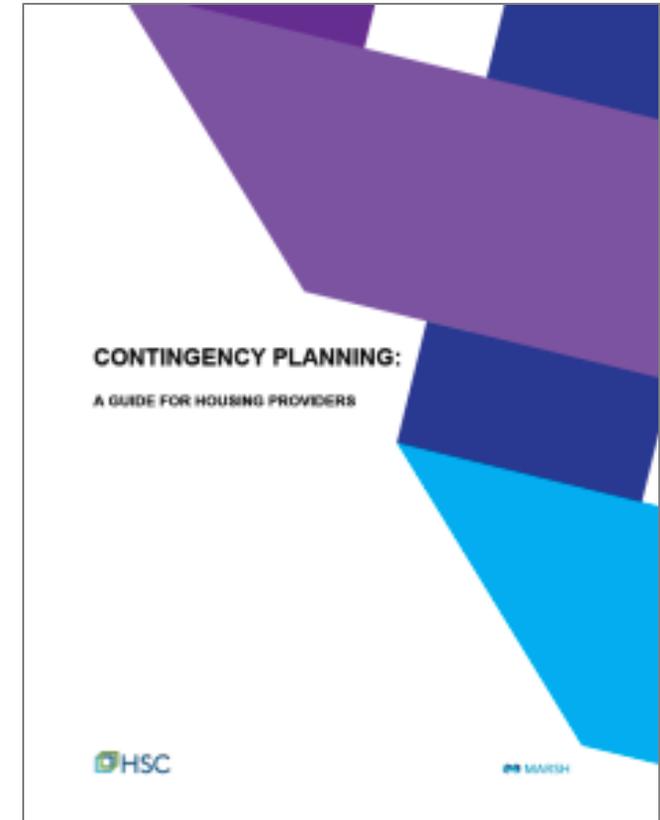
- Key personnel should identify themselves immediately to first responders
- Provide **Residents Requiring Assistance** information to emergency responders

Fire Safety Box

- Evacuation Plan
- Blueprints of building
- Extra lock
- Essential keys

Contingency Plan

- Muster Point
- Safe Evacuation Centre
- Contact information for residents, partners, Service Manager
- Relationships with community groups (e.g., Red Cross, Salvation Army), hotel contacts
- Vital paper/electronic records



Next Speaker

Ashley Richards

Principal Legal Counsel & Investigator

Richards Advocacy

Details, Details,
Details!

Record the Factual Details of the Loss:

- What took place that caused the damage?
- What Unit(s) were affected?
- Who first reported the incident – tenant or property manager?
- Who attended the scene of the incident – police, fire, ambulance, property manager?
- Provide the names of all individuals who witnessed the incident (both at the time and immediately following the loss).
- It is recommended that the Service Provider detail this information in an Incident Report.

Identify who
caused the loss

Provide all information on the person(s) suspected of causing the loss to HSC:

- Is a tenant suspected of causing the loss?
- Is a tenant's guest or dependent suspected of causing the loss?
- Did a third-party vendor come to the property and cause the loss?
- Provide copies of the lease agreement with the tenant, if applicable.
- Provide copies of any insurance information for the tenant, or others, if applicable.
- Provides copies of any contracts and contact information for the third-party vendor, if applicable.

Keep all
documents
organized!

Maintain a folder (preferably electronic) for all repair documents:

- Keep copies of any invoice or receipts that are incurred for the loss even if paid for by HSC. Any documentation that relates to the repair needs to be preserved for the use in any subsequent legal proceedings.
- Keep copies of any photographs taken of the emergency work, and repairs that are completed.
- Record with detailed information and supporting documentation all loss of rent calculations.

Day-to-Day Record Keeping

Regular Record-Keeping will help!

- Keep records of all maintenance on the property and specific Unit; if up-grades are completed (especially between tenants) keep records of what was done and when.
 - Building age; and
 - Dates of appliance/repair upgrades.
- Photograph each Unit prior to a new tenant moving in.
- Keep records of all leases, confirmation of rent increases, information on any subsidies.
- Keep copies of all contracts for third-party vendors who provide services at the property.
- Keep records of tenant issues – violation of guest policies, violation of no smoking policies, police attendances.

What if you evict the tenant?

- Eviction proceedings are separate proceedings that the Service Provider will manage themselves with their own legal counsel/paralegal.
- If the eviction relates to a property claim, please advise HSC and/or Richards Advocacy so that we can ensure alignment of positions and no duplication.

Next Speakers

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Partner, Blaney McMurtry LLP

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Occupier's Liability and a Reasonable System of Maintenance

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1. Introduction

- This program is designed to reduce exposure to slip, trip and fall accidents.
- The best defense against slips and falls is making sure accidents never happen in the first place by continually engaging in a system of inspection and maintenance that reduces the likelihood of accidents.
- In the event of a claim or lawsuit arising from a slip and fall, there are ways to reduce the likelihood that your organization will be found responsible for the fall.

2. The Occupiers' Liability Act

- Pursuant to the *Occupiers' Liability Act*, the occupier of a property (property owners, tenants and managers) in Ontario is required to keep people reasonably safe from harm when they enter the property.
- Property occupiers can be liable for injuries that occur on their property if it is determined they did not take reasonable steps to keep visitors safe.
- It is important to remember, just because a fall happened, it does not mean that an occupier will be liable.
- All levels of Courts in Canada have repeated:

“Every occupiers’ liability case needs to be determined on its own facts”

3. A Reasonable System of Maintenance

- The standard is only one of reasonableness, not perfection.
- Occupiers are not expected to engage in constant monitoring and instant responses.
- An occupier should perform adequate inspections and take adequate action to ensure that hazards are not created and are removed promptly when they do occur.

- Always remember:
 1. Was there a reasonable system of inspection and maintenance in place?
 2. Was the system being followed?

4. Proving a Reasonable System of Maintenance

- Document, document, document!
- While verbal evidence of a system is helpful, making a thorough and clear written procedure will always be preferred.

5. Training

- Showing a Court that the staff performing inspections and maintenance were properly trained in the expectations and requirements of implementing the system can strengthen the inference that the system was reasonable.
- It is important that all staff who are responsible for maintenance and inspection have documented training on how to spot and deal with potential hazards.
- Evidence that the staff actually engaged in the training is paramount.

5. Training, cont'd

- Training should be tailored to the specific property, position of the employee and any potential risks associated the maintenance they are performing.
- Ex. Training regarding use of wet-floor signs:

Wet floor signs are to be placed at both ends of an area prior to mopping. Staff are to remain at the mopped area to ensure that the floor is dry before proceeding to the next area to be mopped.

6. Housekeeping Standards

- One of the quickest ways to reduce the likelihood of slips and falls is to establish and follow a thorough housekeeping and maintenance program.
- Using checklists to determine whether a housekeeping program has been effectively implemented can greatly reduce the likelihood of accidents while also providing evidence of a reasonable maintenance system in the event of a claim.

6. Housekeeping Continued

- When completing checklists, it is important to instruct staff that the checklists are to be completed accurately, thoroughly and as contemporaneously as possible.
- Details including names, times and details of actions taken are essential to risk and claim management.

6. Housekeeping Sample Inspection Checklist

Spill Control

Are spills, puddles, or other debris cleaned up immediately?

Yes

No

Are signs used to notify others that the area is wet and a hazard?

Is the spill control clean-up kit storage area conducive to organized retrieval of clean-up materials for spills?

Is a wet area cordoned off until it is dry?

Is there a formal procedure for checking and removing the signage when the area is dry?

Are absorbent materials available for wiping up greasy, oily, or other kinds of liquid spills?

7. Seasonal issues

- The changing seasons in Canada create unique weather-related conditions for which specific maintenance procedures need to be developed.
- This relates both to indoor and outdoor inspection and maintenance.
- Ex. Winter snow and ice removal program.
 - All building entrances will be cleaned of snow and ice, and will be treated with salt, one hour prior to the opening of business.
 - Exterior walkways will be inspected hourly and treated as needed with salt or de-icer.
 - Parking lots will be inspected daily. Any snow or ice that has accumulated between cars will need to be removed.

7. Seasonal issues, cont'd

- Indoors, during fall and winter, walk-off mats or grates are to be used to control the migration of water, soil and snow at all building entrances. Likewise, management should determine whether there are other frequently wet or dirty locations other than at building entrances and exits.
- Mats and grates must be frequently inspected to control for buckling, curling, bunching or becoming unlevel. Similarly, mats should frequently be cleaned or replaced to ensure that they do not become water-logged or frayed.

8. Salting and Plowing Logs

- Details are paramount. But remember that the basic facts need to be present:
- 1. Identity of the person who inspected or performed the work.
- 2. Time the work started and was completed.
- 3. What work was done.
- 4. How much product was used (ex. Salt)
- 5. What was the weather at the time work was done.

9. Corrective Maintenance Procedure

- When a hazard has been identified through inspection or our hazard reporting program, maintenance must be notified so that the problem can be corrected. The following is the procedure to accomplish this task:
 1. Any problem needs to be controlled immediately.
 2. Temporary control will be put in place to prevent anyone from being injured.
 3. Depending on the nature of the hazard, notify or rectify the issue immediately.
 1. If a contractor is used, make a record of contacting the contractor, even if by phone.
 4. Complete accurate and detailed record of the hazard and the actions taken to rectify it.

10. Property Inspection Policy and Procedure

- Property inspections need to be conducted to identify and correct potential safety and health hazards.
- Set up a regular inspection program for exterior walkways, parking areas, stairs, walkways, and public areas to verify and allow for necessary maintenance.
- Repair unstable surfaces, such as loose tiles or torn carpet. Secure or replace mats, rugs, or carpets that do not lie flat.
- Conduct routine monitoring for walking surfaces that may be wet or icy, such as sidewalks and building entrances.
- Inspections should be conducted in both summer and winter seasons to ensure that potential hazards are not missed.

11. Annual Inspections

Once a year an inspection team made up of representatives of the organization will do a wall-to-wall walk through inspection of the entire worksite. The results of this inspection will be used to:

- Eliminate or control obvious hazards.
- Target specific work areas for more intensive investigation.
- Assist in revising the checklists used during periodic safety inspections.
- Evaluate the effectiveness of our slip, trip and fall prevention program.

12. Conducting and Documenting Inspections

- The use of a checklist helps to clarify inspection responsibilities, controls inspection activities and provides a report of inspection activities.
- Checklists help with on-the-spot recording of findings and comments.
- BUT, be aware that checklists are only a basic tool in conducting inspections. Staff should be trained to treat a checklist as a starting point to examining for hazards.

- Remind staff to not employ a "machine-gun" approach to checking off items from a checklist.
- Adding details of what was done and how will greatly assist in reducing hazards and proving that a system was reasonable.
- Staff should always use previous inspection reports as a starting point to determine whether there are previously identified hazards and whether certain areas require more inspection.

13. Incident Investigation Procedure

How to respond to a slip, trip or fall If a slip, trip or fall occurs:

- Provide assistance.
- Cordon off the area to avoid other incidents.
- Document and report the event.
- Maintain incident reports and investigation documents.

11. Sample Inspection Checklist

Slips, Trips, and Falls Inspection Checklist

	Yes	No	N/A
Parking Lots			
Well illuminated	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Free from potholes or disturbed asphalt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vehicle parking is properly marked	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Curbing and speed bumps are brightly colored	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Drain grates are brightly colored	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Walkway routes are properly marked	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Snow and ice is sufficiently controlled	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Outdoor Walkways			
Surfaces are free of cracks, bulges, potholes, or settling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Drainage is adequate and does not accumulate on walkway	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Walkways are well illuminated	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Surfaces are free of debris	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Snow and ice is sufficiently removed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bike racks, bikes, and landscaping are not intruding into walkway	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Walking surfaces have a rough, textured finish	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Indoor Walkways			
Surfaces are level, free of cracks, bulges, tears, and breaks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Carpets are flat and firmly fastened	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Surface changes do not have gaps	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Absorbent walk-off mats with nonslip backing used at all doorways leading to outside	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Additional mats are stored on site to be used to replace worn/wet mats	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Buckets, mops, brooms, and other materials are stored out of the walkway	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hoses and cords are stored out of the walkway	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stairways			
Steps are uniform and in good repair	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Handrails are provided, secure, and maintained	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Treads have nonslip material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stairwells, ramps, and landings are well illuminated	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Landings and stairways are free of debris	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employee Training			
Employees are trained about slip, trip, and fall procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Maintenance employees are provided with product usage training	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Written procedures and policies are available throughout building	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Proper footwear options have been communicated/made available to employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Building inspected by [Name, Job title]:			
		Date:	
Signature:			

The End