

# ProClaim

Inside the World of Claims Adjusting    Spring/Summer 2014

## Year of the CAT

2013 will certainly be remembered for the severe weather that led to insured losses of \$3.2 billion for the insurance industry – the highest in Canadian history.

Historic flooding in southern Alberta in late June, a massive rainstorm in the GTA in early July and a slow-moving December ice storm in southern Ontario and eastern Canada all left their mark of major property damage for residents across these regions.

It also put the onus squarely on the insurance industry to respond, especially independent loss adjusters who were called upon to handle the huge spike in claims volumes. Pat Van Bakel, president and chief executive officer of Crawford & Company (Canada) Inc., says that "2013 provided a lot of lessons and warning signs for our industry; specifically, how prepared we are as an industry to respond to major spikes in claim volumes in a short period of time."

The highest profile example of severe weather was the torrential rainfall that flooded towns in southern Alberta last June. This was the largest insured disaster – and Canada's costliest natural disaster ever – at more than \$1.74 billion.

In southern Alberta, excessive rains over June 19<sup>th</sup> – 20<sup>th</sup> caused a massive increase in the flow rate of several rivers, including the Bow and Elbow Rivers into Calgary. Significant flooding prompted evacuation orders



for more than 100,000 residents from their homes. There were more than 27 local states of emergency declared.

Flooding reached up to the 10<sup>th</sup> row of the 19,000-seat Saddledome, home to the NHL's Calgary Flames. The grounds of the annual Calgary Stampede were also severely damaged, although the tradition continued as the city banded together and hosted the world-famous event in July. The dry numbers do little to paint a picture of the devastation in many cities and communities in Southern Alberta.

Mike Koch, national property/catastrophe manager, Crawford & Company (Canada) Inc., happened to be in Calgary in mid-June

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# EQ Awareness: Increasing the Understanding of Earthquake Risk in Canada

The threat of a significant earthquake in Canada is slowly coming to the surface when it comes to public and political awareness.

A major study by catastrophe modeling firm AIR Worldwide, released in October 2013 and commissioned by the Insurance Bureau of Canada (IBC), put the total economic loss of a "realistic" earthquake event in coastal British Columbia at \$75 billion.

Another report published in January 2014 in the Bulletin of the Seismological Society of America suggested that the sedimentary nature of the Georgia Basin underneath Vancouver could make the ground shake three to four times greater if a quake occurred within 100km of the city.

Even the Canadian federal budget released in February got in on the action, pledging \$200 million over five years to create the National Disaster Mitigation Program, including \$11.4 million to upgrade earthquake monitoring.

For Jim Eso, senior vice president, Property & Casualty, Crawford & Company (Canada) Inc., the recent earthquake disasters in Japan, New Zealand and Chile have raised alarm bells and contributed to greater awareness of the risk level in Canada.

"As adjusters, we need to be prepared for a 'worst case' scenario, such as was seen most recently in Japan, New Zealand and Chile," notes Eso. "Crawford has specialized adjusters with significant experience responding to earthquakes. We also have our own business continuity plans to do what we can to ensure that our own operations in an earthquake zone can recover quickly after an event."

There are many signs that the risk of a major earthquake is quite real in specific regions of Canada. Natural Resources Canada reports that Vancouver Island and parts of the St. Lawrence Valley are at a 30% risk of a significant quake in the next 50 years.



Other parts of B.C., Quebec and Ontario face a 15% risk of a major trembler during the same period.

In fact, Western Canada experiences more than 1,000 earthquakes a year. There have been more than 100 quakes of magnitude

**"As adjusters, we need to be prepared for a 'worst case' scenario, such as was seen most recently in Japan, New Zealand and Chile..."**

five or higher off Vancouver Island in the past 70 years, including the 6.1 magnitude quake that struck off the B.C. coast in September 2013.

To get a better handle on earthquake exposure in Canada, IBC commissioned the AIR Worldwide study that looked at two earthquake scenarios – a Western one in the Vancouver area and an Eastern event near Quebec City.

In the Western scenario, AIR modeled the impact of a major earthquake occurring 75km off the west coast of Vancouver Island, 300km from downtown Vancouver. In that event, the overall economic losses would total \$75 billion, with \$59 billion due to direct

property damage and roughly \$13 billion attributable to interruptions in supply chains and economic activity.

AIR also looked at insurance claims in this scenario, which amount to \$20 billion or just over one-quarter of the total losses. Of the insured losses, 58% related to commercial coverage and 40% residential, with most of these losses linked to building (54%), contents (33%) and business interruption (13%). In this mock event, shake is the leading cause of insured losses (85%), followed by liquefaction and landslide, tsunami (5%) and fire following (0.1%).

For the Eastern scenario, AIR examined a magnitude 7.1 earthquake 10km beneath

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# The Effects of Highway Traffic Act Convictions and Guilty Pleas in Civil Actions

It is generally understood that a Highway Traffic Act (HTA) charge (which is often noted in Motor Vehicle Accident Reports), and subsequent conviction, has negative consequences for the convicted party.

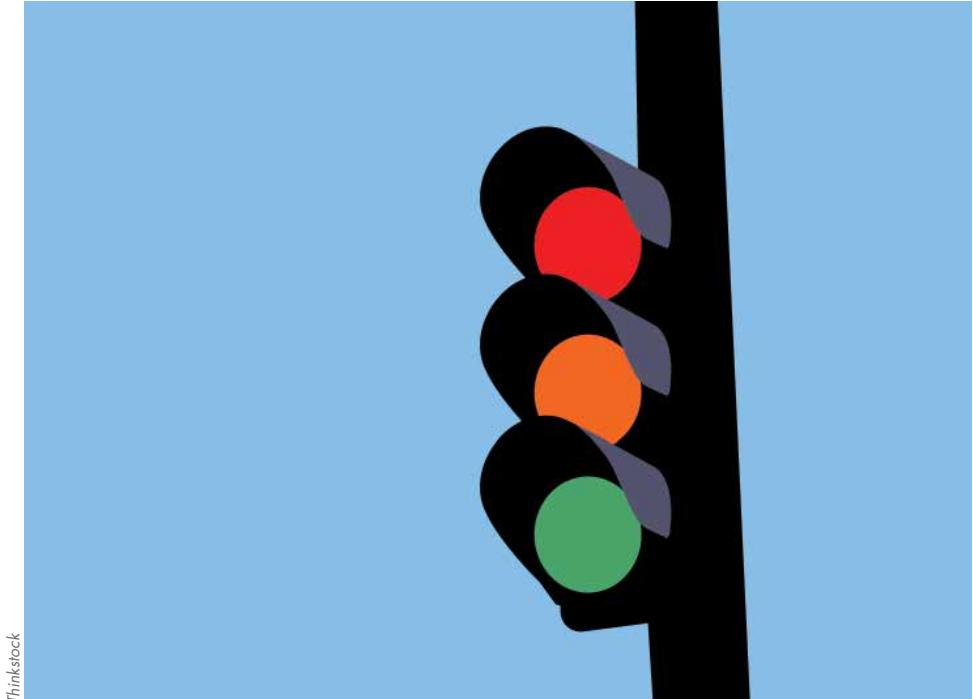
This extends to their ability to successfully defend or bring a tort action at a later date. However, the significance of a conviction is often underestimated and bears review. While we will be looking at HTA convictions in general, the same principals apply to other criminal and quasi-criminal convictions.

In Bhattacherjee v. Marianayagam, 2013 Carswell, Ont 190, the defendant was entirely responsible for the Plaintiff's damages stemming from running a red light. Marianayagam pleaded guilty to Disobeying Traffic Signal – Red, which is an absolute liability offence. Marianayagam did not appeal the finding of guilt or pursue the issue of ineffective representation by counsel.

Justice O'Connor stated "[A] plea of guilty is an admission to all legal ingredients to constitute the offence charged. Marianayagam waived her right to have the Crown prove its

**"This case illustrates how important it is for an adjuster to determine as early as possible if a client or co-defendant has been charged and convicted in an HTA matter, as this will help determine if liability should be contested or not..."**

case and her right to any related procedural safeguards, including those constitutionally protected at a time when she was aware of the civil action and the jeopardy stakes facing her..."



Further, Justice O'Connor stated "As noted above, Marianayagam admitted on cross-examination that ultimately she voluntarily accepted the advice of her counsel to plead guilty. She knew she could have exercised her

right to contest the charge and the essential facts underlying it at trial, but chose not to do so."

Unless the following exceptions apply, namely,

1) where the first proceeding was tainted by fraud or dishonesty; 2) where new evidence previously unavailable, comes to light which conclusively impeaches the original result; and 3) where fairness dictates the original result should not be binding in the

next context, then the verdict in a criminal or quasi-criminal case and the findings essential to that verdict, are generally conclusive in a related civil action.

Thus, as the defendant in the above noted case was unable to produce new evidence to conclusively refute the facts that she admitted in her guilty plea, or that her plea was induced by fraud or that fairness dictated a different result, the Judge granted a dismissal to the co-defendants.

This case illustrates how important it is for an adjuster to determine as early as possible if a client or co-defendant has been charged and convicted in an HTA matter, as this will help determine if liability should be contested or not and further, whether liability could be transferred to another party.

Notes by Daniel Marcovitch, B.A., LL.B. – (416-957-5004) P

# Onwards & Upwards

## David Coelho Appointed Director of Finance, Class Action Services



**David Coelho, CMA**  
Director of Finance,  
Class Action  
Services  
Waterloo, ON  
David.Coelho@crawco.ca

We would like to welcome David Coelho as the new Director of Finance of our Class Action Services division. David has over ten years of experience in the finance industry and brings with him extensive expertise in financial analysis, cash management, budgeting and forecasting. He holds a Bachelor of Arts in Economics, and a diploma in Business Administration, both from Wilfrid Laurier University. He became a Certified Management Accountant in 2006.

## Caryl McKay Appointed Branch Manager, Winnipeg



**Caryl McKay, CIP**  
General Adjuster  
Branch Manager,  
Winnipeg  
Caryl.McKay@crawco.ca

We would like to welcome Caryl as the branch manager of our Winnipeg office. She has 21 years of experience in the industry and specializes in property losses and liability. She is a member of the Canadian Independent Adjusters Association, the Manitoba Insurance Adjusters Association and the Canadian Association of Fire Investigators (Nationally and provincially).

# GTS News



## Paul Hancock Named Vice President, GTS, Canada

Paul Hancock has been named Vice President, GTS in Canada. Paul will continue to lead our Global Technical services product line across Canada, as well as maintain his position as Branch Manager of Toronto GTS. He will continue to ensure Crawford's GTS group in Toronto and across Canada delivers on Crawford's commitment to quality and service. He also chairs the GTS Council which is responsible for the delivery of the Global Technical Services strategic plan.

Paul joined Crawford in 2010 and has more than 25 years of experience in the claims industry with strong expertise in operations, claims management, marketing, administration and effective team management.

## Scott Gibson to Assist with Western GTA Commercial Property Claims



**Scott Gibson,**  
**BA, CIP, CFEI**  
General Adjuster  
Hamilton/Toronto, ON  
Scott.Gibson@crawco.ca

Scott will be assisting our Downtown Toronto office as a commercial property resource, helping to cover the western GTA, while continuing to be primarily based in Hamilton. He has 10 years of experience in the industry and specializes in large commercial property losses.

## Mike Dickson Earns General Adjuster Designation



**Mike Dickson,**  
**BA, FCIP, CRM**  
General Adjuster  
Toronto, ON  
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Mike has more than 22 years of experience as an adjuster. His areas of expertise include casualty, accident benefits, loss transfer, liability and mediations. Mike is a member of the Ontario Insurance Adjusters Association, the Canadian Independent Adjusters' Association, the Risk Management Society and the Chartered Insurance Professional Society.

## Stephen Dodd Joins Forensic Accounting Team



**Stephen Dodd, BBA**  
Forensic Accountant  
Toronto, ON  
Stephen.Dodd@crawco.ca

We are pleased to welcome Stephen Dodd to the Crawford Forensic Accounting Services team. Stephen holds a BA in Business Administration and will complete his MBA and CMA this year. In his new role he will work alongside Jay Strano, helping to compile financial data, perform analysis and prepare recommendations.

## Derek Smith Joins Environmental Services Team



**Derek Smith,**  
Environmental  
Consultant  
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We are pleased to welcome Derek Smith to the Crawford Global Technical Services Environmental team. In his new role he will work alongside Lori Festarini, providing expertise on files that involve environmental exposure such as spills and property assessments. He has more than nine years of experience in the environmental field. Derek holds an Environmental Technical Diploma and has extensive training in related areas.

# Crawford GTS Launches Forensic Accounting Services Division

The term "forensics" may conjure up images of police detectives and CSI, but forensic accounting for insurance claims involves disputes or engagements where there are financial risks, concerns or allegations of fraud or other illegal or unethical conduct. "Forensic" in this context means "suitable for use in a court of law."

To meet the needs of its clients, Crawford has launched Crawford Forensic Services (CFAS), which provides forensic consulting, loss analysis, and valuation in the following areas of operation: business interruption, extra expense, business personal property, builder's risk/soft costs, third party and product liability, wrongful death/injury, employee dishonesty, and other property and casualty claims.

CFAS is part of Global Technical Services (GTS), which manages large and complex insurance claims.

Jay Strano, Managing Director of Crawford Forensic Accounting Services has been in the role since October 2012. With over 12 years of experience in the financial advisory services practice, he has been engaged in a wide variety of assignments over the years including economic damage quantification, business interruptions/loss of earnings, physical damage, extra expense, and stock and contents loss.

Strano also has substantial experience working on catastrophe claims and has handled files relating to Hurricanes Ivan and Katrina, as well as claims resulting from the attack on the World Trade Center in New York. He acts as a direct liaison for insurance and legal professionals in the quantification of damages as a result of insured losses.

More recently, Stephen Dodd was added to the CFAS team. Stephen will complete his MBA and CMA in 2014 and will assist Strano with compiling financial data, performing analysis and preparing recommendations.

"Jay and Stephen have been fantastic additions to the Crawford GTS group," says Paul Hancock, National Director of Global Technical Services." By having them involved at

the outset of the loss, claims can be completed quickly and more effectively, which results in a cost benefit to insurers."

"Crawford Forensic Accounting Services is an important component of our Specialty Markets offering," notes John Sharoun, CEO

**"In an increasingly complex claims environment, we believe there will be growing demand for this service."**

Specialty Markets, The Americas. "In an increasingly complex claims environment, we believe there will be growing demand for this service."

Crawford's dedicated Financial and Forensic Accounting Team has Forensic Accountants with backgrounds in insolvency, auditing and management accounting. Members of this team work globally for leading underwriters on numerous major loss claims, many involving values in excess of \$50 million. They are involved with claims ranging from business interruption to fidelity guarantee to subrogated recovery assistance. **P**

## Crawford & Company 1<sup>st</sup> Quarter Financial Results

First quarter 2014 consolidated revenues before reimbursements totaled \$275.3 million, compared with \$286.3 million for 2013. First quarter 2014 net income attributable to shareholders of Crawford & Company was \$6.7 million, compared with net income of \$9.7 million in the first quarter of 2013. First quarter 2014 diluted earnings per share were \$0.12 for CRDA and \$0.11 for CRDB, compared with diluted earnings per share of \$0.18 for CRDA and \$0.17 for CRDB in the prior year quarter.

Mr. Jeffrey T. Bowman, chief executive officer of Crawford & Company, stated, "Our first quarter 2014 consolidated operating earnings were down from the prior year, reflecting both our expectations heading into the quarter, and also general business slowdowns, partly as a

result of the severe winter weather in the U.S. during the quarter. The declines in revenues and operating earnings attributable to our gulf-related special projects in Legal Settlement Administration, as well as the prior-year flooding claims in Thailand, contributed to our decreased earnings.

"Severe weather had a positive effect on our North American property and casualty businesses, however severe weather disruptions also resulted in lost production in a number of other areas. During the 2014 first quarter, Broadspire and the Americas' operating performance showed solid improvement over the prior-year period. This performance was offset by declines in EMEA/AP and Legal Settlement Administration whose results were below our expectations heading into the quarter.

"Americas segment operating earnings grew during the first quarter of 2014 as a result of continued improvement in our Canadian operations and growth in our Contractor Connection operations in both the U.S. and Canada. This more than made up for the comparison with higher 2013 catastrophe claims associated with superstorm Sandy in the northeastern U.S.

Mr. Bowman concluded, "We continue to foster a supportive corporate culture that is highly results-oriented and focused on achieving our strategic objectives. We are excited about the opportunities in front of us and are confident that as we successfully execute our strategies, we will create meaningful value for our shareholders." **P**

## Year of the CAT (continued from front page)

on a branch visit. "I can recall going down to one of the bridges over the Bow River and seeing the water coming up to the trusses, with all these swirling eddies and a strong undertow," Koch says. "I looked at my colleague and we both said, 'this is going to be bad'. We were right."

The insurance industry was on the front lines of this flood disaster. In late June and July, there were more than 5,000 claims and industry professionals on the ground in Southern Alberta to assess losses. To date, there have been more than 25,000 claims.

Just as the industry was focused on the aftermath of the Alberta situation, record rainfall in the Greater Toronto Area on July 8, 2013 led to flash flooding that set a record for Ontario insured damages arising from a single natural disaster, with the current estimate of insured property damage at more than \$940 million.

The rainstorm represented a markedly different CAT event than the southern Alberta flooding. With rainfalls that even exceeded the amount dropped by Hurricane Hazel in 1954, the flash flood that ensued was intense but short-lived, as opposed to the lengthy damage caused by the river surges in Alberta. The majority of damage in the GTA occurred to roadways, public infrastructure and residential properties, particularly basements.

Crawford aggressively responded to the record rainfall and flooding in Canada, handling thousand of claims for dozens of clients over a period of only a few weeks. The rapid deployment of hundreds of highly experienced Canadian and U.S. claims adjusters was due in part to their heavy use of the company's proprietary event resource management system, CAT Connection.

The self-service CAT Connection system links Crawford U.S. employees into a real-time virtual workforce that integrates directly to the Crawford CMS Claims Management System™ and helps expedite claims set-up. CAT Connection also connects to the company's Human Resource system, allowing for faster activation and deployment of adjusters. Additionally, the system allows adjusters to accept specific event-related requests for standby and deployment.

"To date – over a period of roughly six weeks – we have taken in a total of approximately 7,000 assignments for about 60 clients while deploying approximately 350 Canadian and U.S. claims adjusters," says Van Bakel.

"CAT Connection allowed us to quickly identify and deploy more adjusters so they could begin their efforts in cities and communities in Alberta, Quebec and Ontario, including helping us assemble a U.S.-Canadian team of more than 260 adjusters managing about 5500 assignments in Ontario."

CAT Connection allows catastrophe adjusters all over the country to maintain contact even in difficult circumstances. The system will also become available for smartphones as a Crawford Mobile Application for iPhone®, BlackBerry® and Android® oper-



**"Some may think that the major loss events of 2013 were just anomalies. However, insurance industry research shows that the trend of severe weather is getting worse."**

ating systems, allowing access to data, event updates and social functions when a computer is not available or viable in a field situation.

One of the more pressing issues post-flood in the GTA was the number of qualified contractors, who were already stretched thin by the Alberta surge in demand for restoration work.

"You can imagine that a lot of contractors had gone out to Calgary and had to re-deploy back to Toronto to respond to the situation there," Koch says. "There have been some challenges with contractors and availability, especially when it comes to basements, which today are both living and storage spaces." Fortunately, Crawford has Contractor Connection in place – a credentialed network of more than 4,500 contractors in Canada and the United States to insurers and their policyholders. These contractors provide

commercial and residential remediation and repair services for property insurance claims. Because damaged property may be subject to further harm (such as from leaking water or exposure to weather), if the original damage is not addressed quickly, then contractor services might be needed on an accelerated, emergency basis.

"Our Contractor Connection repair network in Canada and the U.S. also responded to a record number of assignments," Van Bakel notes.

In particular, team members from Membership Services, Customer Service, Contractor Recruiting, Estimate Review, Account Management and District Managers worked around the clock to ensure clients and their policyholders' needs were being addressed. Contractors in the affected areas answered the call of duty with a sense of urgency, with many expanding and mobilizing their efforts to areas outside of their standard territories.

With tremendous effort across the board, Contractor Connection lived up to its No. 1 ranking in emergency services and delivered on its promise to "be there when it counts." Contractor Connection, an industry leader in contractor managed repair services, provides insurance carriers and consumers a national network of residential and commercial contractors that are vetted and performance managed, measuring quality, time in process and customer satisfaction.

In the December ice storms that hit southern Ontario and eastern Canada, most of the \$200 million in claims were for homes damaged by trees that fell as a result of ice buildup. Ontario-based insurers also paid more than \$25 million in claims for vehicles damaged in the storm.

More than 225,000 were without power for several days. Insurance carriers reported a variety of claims arising from the ice storm, from burst water pipes to tree branches falling on vehicles, as well as claims for living expenses, food and unusable food storage appliances (fridge and freezers) due to prolonged loss of power.

Once again, Crawford responded quickly, dispatching skilled adjusters to the scene of the damage and ensuring that claims were resolved fairly and accurately.

"During the Alberta and Toronto floods, as well as the ice storms, we managed to mobilize hundreds of staff in a few days to deal with the large number of claims we had to deal with," says Van Bakel. "However, there

*Continued on next page...*

# Contractor Connection News



## Dan Loosemore Named Vice President, Sales and Operations, Contractor Connection Canada

Dan Loosemore has been named Vice President, Sales and Operations, Contractor Connection Canada. Dan leads our Contractor Connection product across Canada and will continue to collaborate with Crawford's sales team to expand this product line. He will also continue to work with network contractors to build a successful partnership and create value for customers. Dan joined Crawford in 2011 and has a wealth of knowledge and experience in the contracting field, as well as sales and operations experience.



**Cortney (Young) Stroh,  
BA, CIP, CRM, CAPM**  
Director, National  
Operations and Client  
Services, Contractor  
Connection  
Kitchener, ON  
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Cortney has been named Director, National Operations and Client Services, Contractor Connection. Along with being primary on client accounts, in this role she will also be in charge of all program operations including systems, training, reporting, implementation and roll out of programs. She has 13 years of experience in the insurance industry and holds a BA in Sociology with a specialization in Legal Studies and Criminology from the University of Waterloo.



**Tommy Gladu**  
Québec District  
Manager,  
Contractor Connection  
Montréal, QC  
Tommy.Gladu@crawco.ca

Tommy has been named Québec District Manager of Contractor Connection. Before joining Crawford, he worked for a leading electrical manufacturing company where he acquired 15 years of experience in that industry. He specializes in management, marketing, sales, construction and plumbing. He holds a BA in Economics from the University of Sherbrooke, in Sherbrooke, Québec.



**Travis Collingwood**  
District Manager,  
Contractor Connection  
Kitchener, ON  
Travis.Collingwood@  
crawco.ca

Travis has been named District Manager, Contractor Connection. In his new role he joins a growing team of National District Managers whose primary focus is network contractor performance management. He has worked in the industry for 14 years, with over eight years of management experience, holding various roles such as project manager/estimate, project coordinator and site supervisor. He is also a licensed carpenter and successfully completed a Project Management Program in 2012.

### Year of the CAT (continued from page 6)

were some [companies] that failed to either execute their catastrophe plan, or perhaps that did not have one."

Other natural disasters in 2013 included the severe thunderstorm that hit central and southern Ontario and southwestern Quebec in July causing around \$200 million in damage and the band of powerful thunderstorms that hit Quebec and Ontario in June with damage amounting to over \$50 million.

Some may think that the major loss events of 2013 were just anomalies. However, insurance industry research shows that the trend of severe weather is getting worse. From 2009 to 2012, insurers paid out more than \$1 billion annually in claims due to windstorms, hail, wildfire and flooding.

An Insurance Bureau of Canada-commissioned research report, written by one of Canada's leading climatologists Dr. Gordon McBean and titled "Telling the Weather Story", shows that increasingly severe weather trends will continue, with more hail, storm and wildfire events over the coming decades. McBean's telling conclusion was that Canadians can expect warmer summers, more heavy precipitation and more flash flooding.

With the extensive damage wrought by both the Southern Alberta and GTA flooding, one thing is for certain – severe weather and water damage has become a major issue for politicians, consumers and the media. One of the buzzwords that quickly emerged from the flood aftermath is mitigation, followed closely by infrastructure.

Adjusting firms like Crawford can take pride in their response times and the ability to place skilled adjusters on the scene at a moment's notice, whether the damage is in southern Alberta, Ontario or New Brunswick. Van Bakel noted that the company both prepared for and responded quickly to the unprecedented weather events in the country.

Still, there are lessons that can be learned from 2013 and applied to future disasters and major loss events.

"Now is the time to debrief on these events, model future events and build adequate plans to respond to ever-changing customer expectations – this ranges from claims staff to contractors and all other aspects of the supply chain," Van Bakel concludes. P

## EQ Awareness (continued from page 2)

the St. Lawrence River and 100km north of Quebec City. Overall economic losses in this model are \$61 billion, of which only \$12 billion would be insured (mainly because of low earthquake insurance penetration). While the distribution of losses is similar to the Western scenario (57% damage to commercial property, 42% to residential), virtually all of

**"We have had Canadian adjusters deployed to Japan, New Zealand, Chile, all of those people have collective knowledge about what works, what doesn't work, what is effective after a major earthquake..."**

the insured losses would be due to ground shaking. The rest of the losses would be due to localized fire following.

Regarding the potential for earthquake losses, Eso says that adjusters at Crawford understand the nature of the risk.

"I think adjusters at Crawford specifically have a fairly high level of awareness of the risks of an earthquake," he explains. "Some might say that adjusters are too often pessimistic or cynical about risk and damages, but in this case, the reality of 'when, not if' is one that adjusters see every day in their work. . . We understand the reality that a significant

event could occur at any moment, and will most certainly occur eventually."

Eso notes that a key advantage for an international adjusting firm like Crawford is the experience of its adjusters, many of whom have worked directly on post-earthquake losses.

"We have an advantage in that we have gone through earthquakes in regions around the world," he observes.

"We have had Canadian adjusters deployed to Japan, New Zealand, Chile, all of those people have collective knowledge about what works, what doesn't work, what is effective versus not effective after a major

earthquake, our staff has experienced the response in action, in real time."

Eso notes that some of the lessons learned from recent quakes include better knowledge about the type of damages caused to historic buildings (Christchurch), infrastructure (Japan) and specialty business risks (wineries in Chile).

"This should cause us to pause and really understand what the insured risks from an earthquake look like in a specific geographic and demographic area," he concludes.

Hopefully, this understanding will come before the "big one" strikes in Canada. ▶

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