

# 2005 Annual Report



*Office of  
the Consumer  
Advocate for  
Insurance*



Consumer Advocate for Insurance.

Défenseur du consommateur en  
matière d'assurances.

September 19, 2006

Honourable Speaker  
Legislative Assembly of New Brunswick  
Legislative Assembly Building  
P.O. Box 6000  
Fredericton, N.B.  
E3B 5H1

Dear Sir or Madam:

I am pleased to present to you, pursuant to subsection 10(1) of the *Consumer Advocate for Insurance Act*, my first annual report on the activities of the Office of the Consumer Advocate for Insurance for the 2005 calendar year. It also contains a summary regarding the total amount assessed against insurers for the fiscal year ending March 31, 2005 under section 11 and the amount paid by each insurer.

Yours truly,

Ronald Godin  
Consumer Advocate for Insurance for New Brunswick

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## 1. INTRODUCTION

Subsection 10(1) of the *Consumer Advocate for Insurance Act* reads as follows:

*10(1) The Consumer Advocate shall report annually to the Legislative Assembly concerning:*

*(a) the activities of the Office of the Consumer Advocate in the preceding year;*

*and*

*(b) the total amount assessed against licensed insurers in the preceding year under section 11 and the amount paid by each insurer.*

The time has therefore come to submit the first annual report of the Consumer Advocate for Insurance for New Brunswick. It is with great pride that I mark this historic occasion. The creation of the position of Consumer Advocate for Insurance has provided consumers who purchase insurance products with an ombudsman who can intervene on their behalf. The advocate is responsible for safeguarding consumers' interests while monitoring the practices of insurers, brokers, and agents to ensure they abide by this province's legislation and regulations.

The first year was largely devoted to setting up the Office of the Consumer Advocate for Insurance, hiring and training staff, learning the language of the industry and the way it operates in New Brunswick, as well as delivering services. It was crucial for us to get up to speed quickly on matters relating to insurance while responding to the inquiries of consumers calling upon our services.

It should be noted that consumers had pressing needs on the heels of a crisis that had severely disrupted the automobile insurance sector. In this report, we take the liberty of sharing certain observations, thoughts, and other comments about the situation in the insurance industry, as perceived by our office after only one year in operation.

This first year was more one for observing, making contacts, and gathering information from the insurance industry and consumers alike. Our office took constant note of everything that was happening in the insurance sector and of the experiences of consumers faced with various insurance-related issues and concerns. During the year, the Consumer Advocate for Insurance was unable to conduct a thorough analysis or review given the mounds of information that always had to be absorbed. Nonetheless, this first year was an opportunity for us to take stock of the situation in the insurance industry in regards to the needs of consumers in New Brunswick.

We do not profess to know everything about this complex world of insurance and its relationship with consumers. This first annual report is more a reflection of the observations made, the information gathered, and the feedback received from consumers, as well as a cursory analysis of the insurance situation in New Brunswick.

## 2. ADVOCATE'S RESPONSIBILITIES

The *Consumer Advocate for Insurance Act*, chapter C-17.5 of the New Brunswick Acts, was assented to on June 30, 2004 on the recommendation of the Legislative Assembly. The Consumer Advocate for Insurance was appointed on December 21, 2004 for a 10-year term, commencing January 1, 2005.

Subsection 7(1) of the *Consumer Advocate for Insurance Act* stipulates that the responsibilities of the Consumer Advocate are as follows:

*7(1) The Consumer Advocate shall*

- (a) examine the underwriting practices and guidelines of insurers, brokers, and agents, and report the use of any prohibited underwriting practices to the Superintendent;*
- (b) conduct investigations in relation to insurers, brokers and agents concerning
  - (i) the premiums charged for contracts of insurance, and*
  - (ii) the availability of contracts of insurance;**
- (c) respond to requests for information with respect to insurance;*
- (d) develop and conduct educational programmes with respect to insurance for the purpose of educating consumers; and*
- (e) carry out tasks or investigations in relation to insurance matters or the insurance industry as directed by the Legislative Assembly.*



Subsection 7(2) provides that *the Consumer Advocate may appear before the New Brunswick Insurance Board established under the Insurance Act to represent the interests of consumers (...).*

Subsection 7(3) stipulates that *the Consumer Advocate may appear before the Board of Commissioners of Public Utilities to represent the interests of consumers at hearings the Board of Commissioners is authorized to hold under the Insurance Act (...).*

### **3. OFFICE OF THE ADVOCATE**

The Office of the Consumer Advocate for Insurance began operating officially on March 7, 2005. The office, located in Bathurst, has a permanent staff of four. In addition to the Consumer Advocate, the other employees are:

Pauline Lafortune: Administrative Assistant

Sandra Godin: Assistant Advocate

Brian Teed: Assistant Advocate

The three assistants all have work experience in the insurance industry. The two assistant advocates have 15 years' and 30 years' experience, respectively, in the insurance industry as adjusters. Mention should also be made of the contribution made by Jim Jessop, an insurance consultant, who was a member of our team during the first three months of operations. We benefited greatly from his expertise and his sage advice in getting the office up and running so we could respond to consumers' inquiries straight away.

## **4. ACTIVITIES OF THE OFFICE OF THE CONSUMER ADVOCATE**

### **4.1 Guidelines of Insurers, Brokers, and Agents**

We reviewed the underwriting guidelines of all automobile insurance companies doing business in New Brunswick and did not find any prohibited practices that could have been reported to the Superintendent. This review of the underwriting guidelines used by insurers is an ongoing process which will be stepped up over time as we gain more and more experience and expertise in this field. Our goal is to examine insurance industry practices which, while not “prohibited” under the Act, could be considered unfair or misleading.

### **4.2 Investigations in Relation to Insurers, Brokers, and Agents**

We conducted numerous investigations in relation to insurers, brokers, and agents concerning the premiums charged for contracts of insurance and the availability of such contracts. These investigations were in response to requests from consumers experiencing insurance-related problems. Investigations could be cursory or more thorough, depending on the nature of the complaint, the assistance being sought, and the kind of insurance involved. Later on in this report we shall examine the number and types of files investigated as well as the outcome of those investigations.

### **4.3 Requests for Information**

After one year of operation, we note that our office was frequently contacted by consumers in search of information about different kinds of insurance (car, property,

life, health, etc.). This is definitely a service that we were able to deliver not only quickly and efficiently, but also very proficiently. We were always able to provide the right information to consumers in each situation brought to our attention.

#### **4.4 Educational Programs**

With regard to its educational function in relation to insurance, the Office of the Consumer Advocate regularly provided consumers with information and was very active in that regard, even though we had barely begun operating and there were many demands arising from specific and more urgent needs requiring our immediate attention. It should be noted that our office had just started up on the heels of the crisis in the automobile insurance industry in New Brunswick.

Consumer education with regard to insurance is one function bound to take on even greater importance over the next few years, although it has been a priority for us since day one.

Below is a list of the activities, publications, presentations, and other initiatives undertaken in 2005 to educate and inform consumers.

##### Leaflets

A total of 20,000 leaflets (see Appendix A) were distributed throughout the province through the following persons, associations, groups, businesses, and institutions:

- New Brunswick Automobile Dealers Association
- Service New Brunswick (36 service centres)
- Canadian Bar Association, New Brunswick Branch
- Hospitals and medical clinics
- Automobile dealers
- Driver education schools
- Autobody repair shops
- Windshield repair shops
- Universities and colleges
- New Brunswick Senior Citizens' Federation
- Association acadienne et francophone des aîné(e)s du Nouveau-Brunswick
- Cities, towns, villages, and municipalities
- Members of the Legislative Assembly.

#### Presentations

- New Brunswick Insurance Community Action Network	Fredericton, N.B.	2005-05-12
- Collision Associates	Miramichi, N.B.	2005-05-09
- Canadian Bar Association –NB	Fredericton, N.B.	2005-06-16
- Fédération des citoyen(ne)s aîné(e)s du Nouveau-Brunswick	Shippagan, N.B.	2005-09-12
- Association du barreau canadien – N.-B.	Moncton, N.B.	2005-10-27
- Association du barreau canadien – N.-B.	Edmundston, N.B.	2005-11-03
- Université du 3ième âge de Caraquet	Caraquet, N.B.	2005-11-10
- Financial Management Institute - Fredericton	Fredericton, N.B.	2005-11-15
- Club de l'âge d'or de St-Isidore	St-Isidore, N.B.	2005-11-29
- Collision Associates	Edmundston, N.B.	2005-12-14

#### Media

There were several interviews and articles involving various media in the province, e.g., newspapers, radio, and television, concerning the Office of the Consumer Advocate and topics of interest in relation to insurance.

#### **4.5 Other Tasks or Investigations**

Over the course of 2005, the Legislative Assembly did not ask the Consumer Advocate to “*carry out tasks or investigations in relation to insurance matters or the insurance industry*”. We dare say it is obvious that we have a great deal of work on our plates with the responsibilities we have already been given. However, we remain at the disposal of the Legislative Assembly should it deem it appropriate to amend or add to those responsibilities in its best judgment and in the interest of consumers.

#### **4.6 New Brunswick Insurance Board**

The Consumer Advocate appeared before the New Brunswick Insurance Board at a public hearing held in Saint John between June 27 and 29, 2005. The two points at issue were as follows:

1. “What should be the appropriate return on equity for automobile insurance companies doing business in New Brunswick?”; and
2. “Should the rates for the business managed by the Facility Association include a recovery of the cost of capital? If so, what would be considered a proper rate of return to recover this cost of capital?”

The presentation of the Consumer Advocate addressing the issue of an appropriate rate of return held that there should not be a fixed rate of return but that, were the Board to deem it necessary, it should not exceed 10%. The Board decided not to establish a fixed rate and instead said it would review the rate of return on equity at the time of each application made by insurers.

With regard to the issue of recovery of the cost of capital for business managed by the Facility Association, the Consumer Advocate in his presentation opposed the Facility Association's application. The Board ultimately decided to refuse that application.

#### **4.7 New Brunswick Board of Commissioners of Public Utilities**

The Consumer Advocate did not have to appear before the Board in 2005.

#### **4.8 Other Activities**

Here is a list of some of the meetings held by the Consumer Advocate with representatives, groups, associations, and other individuals:

- New Brunswick Automobile Dealers Association
- Insurance Brokers Association of New Brunswick
- New Brunswick Insurance Board
- Office of the Superintendent of Insurance for New Brunswick
- George Jordan, Auto Insurance Consumer Advocate for Nova Scotia
- Office of the Commissioner of Official Languages for New Brunswick
- New Brunswick Ombudsman's Office
- New Brunswick Senior Citizens' Federation
- Insurance Bureau of Canada.

The Consumer Advocate was also a member of the Atlantic Task Force on Insurance Availability and Affordability.

## **5. FILES HANDLED BY THE OFFICE OF THE ADVOCATE**

The Office of the Consumer Advocate handled a total of 1,187 files in 2005, more specifically during the period between March 7 and December 31, 2005. That is a rather impressive tally at this early juncture in its mandate, given the little advertising or media coverage surrounding our office, the services we provide, and our contact information.

Consumer queries had to do with premiums (42%), general information (31.7%), and claims-related issues stemming from accidents or other losses (24.3%).

The queries were concerned primarily with automobile insurance (81%), followed by property insurance (12.2%).

It was mainly the public as consumers who made use of our services, with the highest percentage of queries originating in Gloucester County (29.8%).



## 5.1 Number of Files

We handled many files during 2005, and the following table shows that we successfully responded to the requests for information, consultation, and assistance in all cases:

	<i>Number</i>	<i>(%)</i>
Completed	1,185	99.8%
Active	1	0.1%
Reopened	1	0.1%

## 5.2 Nature of Requests

The following table illustrates the main requests for information from consumers and all other persons in connection with insurance.

	<i>Number</i>	<i>(%)</i>
Premiums	499	42.0%
Information	376	31.7%
Claims	289	24.3%
Other	23	2.0%

### 5.3 Breakdown of Files by Type of Insurance

The following table presents a breakdown of the files by type of insurance. As can be seen, automobile insurance accounted by far for the most active files.

	<i>Number</i>	<i>(%)</i>
Automobile insurance	962	81.0%
Property insurance (home)	147	12.3%
Sickness and accident insurance	31	2.6%
Life insurance	24	2.0%
Liability insurance	15	1.3%
Marine insurance	2	0.2%
Aviation insurance	1	0.1%
Loan insurance	1	0.1%
Guarantee insurance	1	0.1%
Other (not insurance related)	3	0.3%

### 5.4 Origin of Requests

We received requests for information from several categories of individuals. The following table reflects the keen interest of the public as consumers with regard to our office.

	<i>Number</i>	<i>(%)</i>
Public	1,123	94.6%
Brokers	19	1.6%
Insurers	17	1.4%
Agents	10	0.8%
Lawyers	7	0.6%
Adjusters	5	0.4%
Government	3	0.3%
Corporations	2	0.2%
Institutions	1	0.1%

## 5.5 Breakdown of Files by County

We compiled a list of all the files by county, as shown in the following table. The results indicate that the needs of consumers varied from county to county and that the number of files handled was not always proportional to the overall population of those counties.

	<i>Number</i>	<i>(%)</i>
Gloucester	354	29.8%
Westmorland	169	14.2%
York	154	12.9%
Saint John	122	10.3%
Madawaska	85	7.2%
Northumberland	64	5.4%
Restigouche	60	5.1%
Kings	36	3.0%
Carleton	34	2.9%
Kent	29	2.4%
Victoria	19	1.6%
Charlotte	15	1.3%
Queens	9	0.8%
Sunbury	9	0.8%
Albert	4	0.3%
Other (outside province)	24	2.0%

## 5.6 Outcomes

In 2005, the Office of the Consumer Advocate handled three main categories of files. The outcomes obtained in relation to those files are presented below:

### Requests for Information

We had a success rate of nearly 100%, since we were always able to provide or obtain the appropriate information quickly and accurately.

### Requests for Assistance with Claim-related Issues

Our success rate, where we were able to help consumers with claims, was approximately 66%.

### Complaints or Requests for Assistance in Connection with Premiums

Our success rate was around 50% for this category of files. It should be noted that consumers asking for our help with these kinds of problems often have precarious personal circumstances affecting premiums or the availability of contracts of insurance. In the early days of our mandate, a sizable portion of our efforts were aimed at getting consumers out of the Facility Association. These consumers were in the Association largely because of the impact of the crisis in the automobile insurance industry, which affected drivers in the northern part of the province more than the rest of the province.

## 6. ASSESSMENT FOR OFFICE EXPENSES

Subsection 11(1) of the *Consumer Advocate for Insurance Act* stipulates as follows: “*The Consumer Advocate shall annually, as soon as practicable after the close of each fiscal year, by reference to the Public Accounts and by such further inquiries or investigations as he or she may deem necessary, ascertain and certify the total amount of the expenditure incurred by the Province for or in connection with the administration of this Act during the last preceding fiscal year and the amount of the expenditure so ascertained and certified by the Consumer Advocate is final and conclusive for all purposes of this section.*”

Subsection 11(3) stipulates as follows: “*The total amount of the expenditure incurred by the Province for or in connection with the administration of this Act ascertained and certified under the provisions of subsection (1) shall be assessed against licensed insurers (...).*”

The total amount of the expenditure was assessed against the insurers, with each insurer assessed such amount of that portion as his or her net receipts with respect to all classes of insurance are of the total net receipts with respect to all classes of insurance of all licensed insurers.

The total amount of expenditure incurred for the fiscal year ending March 31, 2005 was \$150,884.55, covering basically the setting up of the office between January 1 and March 31, 2005. The amount was assessed against the insurers by means of a notice of

assessment sent to each company. The total amount was recovered from the insurers in question.

Appendix B contains a breakdown of the total amount submitted to licensed insurers for the previous year, as well as the amount paid by each.

## 7. OBSERVATIONS AND COMMENTS

### 7.1 2003 and 2004 Reforms

From the outset of our mandate, our office received numerous requests for information concerning various aspects of the 2003 automobile insurance reform. The main tenets of that reform may be summarized as follows:

- A regulation under the *Insurance Act* limiting to \$2,500 the total amount that a complainant may recover in damages for non-monetary losses for minor personal injuries sustained in an accident.
- A regulation under the *Insurance Act* stipulating that certain underwriting practices by insurers are henceforth prohibited. Accordingly, insurers may not refuse to insure a person for the following reasons:
  - Age of a person
  - Age of a vehicle
  - Previous claims under an insurance policy involving an accident for which the insured was not at fault
  - Missed premium payment (30 days)
  - Lapse in coverage (12 months)
  - Cessation of membership in a group insurance plan
  - The fact that another insurer refused to insure a person or renew that person's policy
  - The fact that a person is or has been insured by the Facility Association.

In 2004, several other changes were made to automobile insurance, and our office was contacted many times about a number of those new elements, which took effect in 2005:

- First-chance discount for new drivers
- Direct compensation for property damages caused by third parties
- New “no frills” automobile insurance policy
- Establishment of the New Brunswick Insurance Board
- Appointment of a Consumer Advocate for Insurance and establishment of the Office of the Consumer Advocate.

## **7.2 Review of Certain Complaints**

It would no doubt be appropriate to take a look at certain complaints relating to automobile insurance. In the following section, we present six situations that particularly caught our attention during our first year of operation.

### **7.21 Lapse in Coverage**

Even though the permissible period for lapse in coverage was extended to 12 months as a result of the 2004 reform, consumers object to the idea of being penalized with higher premiums simply as a result of their being without coverage for more than 12 months. The important thing to note here is that they are penalized for not having purchased insurance at a time when they did not need it or when they did not have the financial means to obtain it. Moreover, many of these consumers ended up with lapses in coverage because of the crisis that had made insurance a commodity they could no longer afford. It is therefore easy to understand the disgruntlement of these individuals, who as consumers feel prejudiced by this measure.



There does not appear to be any connection between lapse in coverage and the risk it entails for insurers to insure the vehicles of such individuals. The lapse-in-coverage issue should be revisited in its entirety, or at the very least, the permissible period should be extended to 24 months, which would put it in line with established practice in the rest of Atlantic Canada. We even wonder if there should be any such provision in certain circumstances, e.g., moves, studies, work outside the province.

### **7.22 First-Chance Discount for New Drivers**

While this measure was greatly appreciated by large numbers of consumers, many say it is too easy to lose this privilege, since virtually all traffic infractions or any claims, even minor ones, will result in loss of the discount, followed by a substantial increase in premiums for several years. For many drivers, that often represents the difference between being able to drive a car or having to get rid of it and thus jeopardize or compromise their employment. This issue affects young drivers in particular, since they account for almost all new drivers.

### **7.23 No-Frills Policy**

This policy was not warmly received by consumers in 2005. According to the comments that we heard, consumers feel that the money saved in premiums versus the reduction in benefits was not worth it. In addition, the deductible of up to \$1,000 for property damage, even when the insured person is not at fault in the accident, is a major factor in the rejection of this type of insurance by consumers.

#### **7.24 First At-Fault Accident**

It is not always easy for most consumers to accept the fact that their insurance premiums rise when they have their first at-fault accident, for they thought they had obtained protection from that very occurrence when they purchased their insurance policy. They believe the premium was determined on the basis of, among other things, the risk of a first accident and should therefore not be affected by the accident in question.

A few insurers offer this additional protection for first accidents, but in most cases the protection consists in an endorsement to the regular policy that has to be purchased. In a way, that amounts to insuring an insurance policy. We believe that this protection should be regularly and consistently available for the benefit of all consumers.

#### **7.25 Fear of Making Claims**

We noted considerable apprehension among consumers when the time came to submit a claim to their insurers, even when they were in no way responsible for the circumstances giving rise to the claim.

Consumers are afraid of reprisals from their insurers with regard to premiums and the availability of contracts of insurance. We must admit that their fears are not unfounded, since we observed such situations on many occasions in 2005. Often, consumers were severely penalized by insurers for having made claims, even minor ones. There does not seem to be any correlation between the nature of the claim and its impact on the premium.

To a certain extent, we understand that insured persons can agree to share part of the risk, but insurance must not become a product that is used only for the worst of disasters. Rather, insurance should be a form of protection that reassures consumers and makes them feel safe, not a product that causes them to feel vulnerable or worried.

## **7.26 Brokers and Agents**

We received a number of complaints involving insurance agents and brokers. Their roles and responsibilities are not very clearly understood by most consumers. Many consumers confuse their broker with the insurance companies.

Agents represent insurance companies, while brokers are basically independent agents for consumers looking for insurance products. Brokers are intermediaries between consumers and insurance companies, and we must recognize that this often puts them in a difficult situation under the circumstances. Consumers see this as a conflict of interest or loyalty, given the business dealings between brokers and the insurance companies. In our meetings with brokers and representatives of their association, we constantly repeated the fact that their “real customer” should always be the consumer.

### 7.3 Automobile Insurance Situation

With regard to the situation of automobile insurance at the end of 2005, we observed that premiums had declined, that a certain level of stability had returned to the marketplace, and that the availability of contracts of insurance for consumers had improved. For consumers with a clean driving record and no at-fault accidents for at least the last five or six years, premiums could be regarded as more acceptable, but the situation remains tenuous since the slightest infraction or claim seems to condemn consumers to paying higher premiums for several years. Very often, we consider the underwriting practices to be very strict and overly restrictive. In a completely free market, that would not be a problem, but the automobile insurance market in New Brunswick is not totally free. If you want to drive a motor vehicle in New Brunswick, a number of compulsory protections must be obtained. To some extent, there is a “forced marriage” between consumers and their insurers. Even in the best of conditions, the situation remains uncertain, because consumers are constantly subjected to the vagaries of insurance company practices. While it is true that premiums did decline and that a certain level of stability returned to the insurance industry in 2005, we also note that the insurers made enormous profits. A number of factors contributed greatly to this situation, including:

- The level of premiums.
- The \$2,500 cap on general damages for so-called minor injuries. That measure alone represents considerable savings for the insurers in comparison with payouts prior to the 2003 reform (44% decrease).

- Fearful consumers are filing fewer claims, resulting in substantial savings for insurance companies.

## **7.4 Other Insurance**

### Property (Home) Insurance

We received a number of calls towards the end of the year from consumers who said they were concerned about what seemed to be fairly hefty increases in their premiums. However, we were not able to conclude that the increases were widespread at the time. Several consumers told us they hoped to see the property insurance industry regulated in the same way as the automobile insurance industry. They are surprised that it is not already, since they feel this type of insurance is increasingly essential and important in today's society.

### Accident and Sickness (Disability) Insurance

Many consumers voiced their frustration with this particular type of insurance. More and more, this insurance is being offered by a host of representatives of various consumer products and goods and, more often than not, is explained quickly and incompletely, after which the consumer is asked to sign on the bottom line. Consumers think they are fully protected, but it is not until later when they become disabled, for example, that they realize the policy contained a certain number of exclusions, including those concerning pre-existing medical conditions.

This situation should perhaps be reviewed to determine whether there is actually a real problem so that action can be taken if need be in the form of more appropriate measures depending on the circumstances.

## **8. CONCLUSION**

The insurance industry is highly complex and very specialized in the way it operates, competes, and deals with its existing and prospective customers. It is not easy to penetrate this world that is secret by nature and concerned about protecting its independence and its freedom to compete with as little interference and as few controls as possible. That stands to reason in a free market, but in New Brunswick we are required by law to insure all vehicles operated on public roadways. Therein lies the difference between insurance and other consumer products or services, and hence the need to have a consumer advocate who can keep an eye on these companies to ensure they do not abuse their position of strength and to report any abuse to the Superintendent of Insurance or the Insurance Board. The Consumer Advocate must also safeguard the interests of consumers before the New Brunswick Insurance Board and assist them with their concerns relating to brokers, agents, and insurers doing business in New Brunswick.

This first year enabled me to learn about my role, set up the Office of the Consumer Advocate for Insurance, and above all establish working relations with agents, brokers, and insurers so that I could be more vigilant and respond to consumer queries quickly and efficiently. On balance, I wish to acknowledge and underscore the co-operation of the institutions in question, and I trust that this co-operation will continue, for the greatest good of consumers. Given the profits made by insurers in 2005, we hope they will share part of them with their customers through further reductions in premiums and through less strict and punitive underwriting practices.

This is only a beginning, and much work remains to be done. Fortunately, we will now have the time to turn to other aspects of our mandate, such as public education regarding insurance, awareness-raising among youth, and development of a Web site to promote our services, educate the public, and protect consumer interests.

It was a year filled with emotion and activity and a very rewarding one in terms of information and knowledge. We have a feeling of accomplishment since we succeeded in reconciling the requirements of our mandate and the insurance reform with the needs of consumers. After this first year of operation, the Office of the Consumer Advocate for Insurance now feels better able, better qualified, and better equipped to meet the needs of the public. It is with a great deal of energy and enthusiasm that we embark on our second year of service. We have several activities, educational programs, and other ventures planned for 2006 to reach out more to consumers. We will have to continue to develop and enhance our insurance know-how while remaining at the service of consumers and the Legislative Assembly.

We now have a better sense of the insurance industry in New Brunswick. The year ahead will no doubt enable us to broaden our understanding even more as well as to conduct a more thorough analysis of the situation, following which we will be in a position to issue a greater number of relevant recommendations for the benefit and well-being of consumers. What a tremendous, but magnificent, challenge!





## Appendix A

# INSURANCE PROBLEMS ?

# PROBLÈMES D'ASSURANCES ?



Call the office of the Consumer Advocate

Appelez le bureau du défenseur du consommateur

**1-888-283-5111**

Toll Free - sans frais

Keystone Place  
270 Douglas Ave, Suite 406  
Bathurst, N.B.  
E2A 1M9

Place Keystone  
270 av Douglas, Pièce 406  
Bathurst, N.-B.  
E2A 1M9

Telephone/téléphone : (506) 549-5555  
Facsimile/télécopieur : (506) 549-5559

Email/courriel : [nb@cai-dma.ca](mailto:nb@cai-dma.ca)

❖ Do you have a problem regarding the premiums charged for contracts of insurance or the availability of contracts of insurance?

❖ Do you have a request for information with respect to insurance?

❖ Do you have a concern or a complaint in relation to an agent, a broker or an insurance company?

One of the responsibilities of the Consumer Advocate for Insurance for New Brunswick is to assist consumers in certain matters relating to insurance.

❖ Avez-vous un problème concernant les primes facturées pour les contrats d'assurances ou la disponibilité des contrats d'assurances?

❖ Avez-vous une demande de renseignements concernant les assurances?

❖ Avez-vous une préoccupation ou une plainte à formuler à l'égard d'un agent, d'un courtier ou d'une compagnie d'assurance?

Une des fonctions du défenseur du consommateur en matière d'assurances du Nouveau-Brunswick est d'aider les consommateurs ayant certains problèmes avec les assurances.



## Appendix B

COMPANY	AMOUNT OF ASSESSMENT	AMOUNT PAID
ACA ASSURANCE	\$ 25.99	\$ 25.99
ACE INA INSURANCE	\$ 853.01	\$ 853.01
ACTRA FRATERNAL BENEFIT SOCIETY	\$ 0.84	\$ 0.84
AFFILLATED FM INSURANCE COMPANY	\$ 84.72	\$ 84.72
AIG LIFE INSURANCE COMPANY	\$ 221.51	\$ 221.51
ALLIANZ INSURANCE COMPANY	\$ 1,694.76	\$ 1,694.76
ALLSTATE INSURANCE COMPANY	\$ -	
ACADIE VIE	\$ 1,118.61	\$ 1,118.61
ACE INA LIFE INSURANCE	\$ 172.91	\$ 172.91
AETNA LIFE INSURANCE COMPANY	\$ -	
AIG ASSURANCE CANADA	\$ 130.13	\$ 130.13
ALIANZ GLOBAL RISK US INSURANCE	\$ 3.66	\$ 3.66
ALLIANZ LIFE INSURANCE COMPANY	\$ 13.04	\$ 13.04
ALLSTATE INSURANCE COMPANY	\$ 2,794.99	\$ 2,794.99
AMERICAN BANKERS INSURANCE	\$ 389.54	\$ 389.54
AMERICAN HEALTH AND LIFE INS.	\$ 149.36	\$ 149.36
AMERICAN ICOME LIFE INSURANCE	\$ 163.90	\$ 163.90
AMEX ASSURANCE COMPANY	\$ 1.97	\$ 1.97
ASENTUS INSURANCE	\$ 174.88	\$ 174.88
ASSOMPTION COMPANGNIE MUTUELLE	\$ 3,917.35	\$ 3,917.35
ASSURANT LIFE OF CANADA	\$ -	
AMERICAN BANKERS LIFE ASSURANCE	\$ 563.01	\$ 563.01
AMERICAN HOME ASSURANCE COMP	\$ 1,729.10	\$ 1,729.10
AMERICAN RE-INSURANCE COMPANY	\$ -	
CAN CHIEF AGENT	\$ -	
ASPEN INSURANCE UK LIMITED	\$ -	
ASSURANCE-VIE BANQUE NATIONAL	\$ 87.25	\$ 87.25
ASSURIS	\$ -	
AVIVA INSURANCE COMPANY OF CAN	\$ 4,984.27	\$ 4,984.27
AXA CORPORATE SOLUTIONS ASS.	\$ 12.76	\$ 12.76
AXA INSURANCE	\$ 3,601.84	\$ 3,601.84
BLUE CROSS LIFE INSURANCE	\$ 1,215.06	\$ 1,215.06
CAA INSURANCE	\$ 288.68	\$ 288.68
CANADIAN LAWYERS INSURANCE	\$ 76.93	\$ 76.93
CANDIAN PREMIER LIFE INSURANCE	\$ 535.81	\$ 535.81

<b>COMPANY</b>	<b>AMOUNT OF ASSESSMENT</b>	<b>AMOUNT PAID</b>
AXA ASSURANCE	\$ 75.62	\$ 75.62
AXA EQUITABLE LIFE INSURANCE	\$ -	
AXA PACIFIC INSURANCE	\$ 3.19	\$ 3.19
BMO LIFE INSURANCE	\$ 80.12	\$ 80.12
CANDIAN FARM INSURANCE	\$ -	
CANADIAN NORTHERN SHIELD	\$ 3.19	\$ 3.19
CANADIAN PROFESSIONAL SALES ASS.	\$ 1.88	\$ 1.88
CANADIAN UNIVERSITIES RECIPROCAL	\$ 62.39	\$ 62.39
CANASSURANCE COMPAGNIE	\$ 113.15	\$ 113.15
CENTENNIAL INSURANCE	\$ 0.84	\$ 0.84
CHICAGO TITLE INSURANCE	\$ 5.63	\$ 5.63
CIBC LIFE INSURANCE	\$ 47.10	\$ 47.10
COACHMAN INSURANCE	\$ -	
COMMERCE AND INDUSTRY INSURANCE	\$ 464.60	\$ 464.60
CANASSURANCE COMPAGNIE	\$ 10.41	\$ 10.41
CARLETON MUTUAL INSURANCE	\$ 171.88	\$ 171.88
CGU INTERNATIONAL INSURANCE	\$ -	
CHUBB INSURANCE COMPANY	\$ 453.43	\$ 453.43
CIGNA LIFE INSURANCE COMPANY	\$ 40.34	\$ 40.34
COMBINED INSURANCE COMPANY	\$ 1,262.53	\$ 1,262.53
COMMON WEALTH INUSURANCE	\$ 68.68	\$ 68.68
COMPAGNIE FRANCAISES D'ASSRUANCE	\$ -	
CO-OPERATORS GENERAL INSURANCE	\$ 6,192.02	\$ 6,192.02
COSECO INSURANCE COMPANY	\$ 117.84	\$ 117.84
CUMIS GENERAL INSURANCE	\$ 177.69	\$ 177.69
CUNA MUTUAL INSURANCE	\$ 0.19	\$ 0.19
DESJARDINS SECURITE FINANCIERE	\$ 1,719.06	\$ 1,719.06
ECCLASLASTICAL INSURANCE	\$ 203.50	\$ 203.50
CONTINENTAL CASUALTY COMPANY	\$ 300.79	\$ 300.79
CO-OPERATORS LIFE INSURANCE	\$ 1,066.54	\$ 1,066.54
CT FINANCIAL ASSURANCE COMP.	\$ 14.92	\$ 14.92
CUMIS LIFE INSURANCE COMP.	\$ 1,176.13	\$ 1,176.13
DAIMLER CHRIYSLER INSURANCE C	\$ 14.82	\$ 14.82
EAGLE STAR INSURANCE	\$ -	
ECHELON GENERAL INSURANCE	\$ 38.18	\$ 38.18
ECONOMICAL MUTUAL INSURANCE	\$ 2,673.40	\$ 2,673.40

COMPANY	AMOUNT OF ASSESSMENT	AMOUNT PAID
EMPLOYERS INSURANCE	\$ -	
EULER AMERICAN CREDIT INDEMNITY	\$ 29.27	\$ 29.27
FACTORY MUTUAL INSURANCE	\$ 1,234.67	\$ 1,234.67
FCT INSURANCE COMPANY	\$ -	
FEDERATED INSURANCE COMPANY	\$ 64.92	\$ 64.92
FIDELITY INVESTMENTS LIFE INS.	\$ -	
ELITE INSURANCE COMPANY	\$ 1,172.84	\$ 1,172.84
EMPLOYERS REINSURANCE	\$ 83.69	\$ 83.69
EVEREST INSURANCE COMPANY OF CANADA	\$ -	
FEDERAL INSURANCE COMPANY	\$ 3.10	\$ 3.10
FEDERATION INSURANCE	\$ 1,119.83	\$ 1,119.83
FIRST AMERICAN TITLE INSURANCE COMP	\$ 174.50	\$ 174.50
FRIST CANADIAN INSURANCE COR	\$ 566.77	\$ 566.77
FORETHOUGHT LIFE INSURANCE COMPANY	\$ 7.04	\$ 7.04
FUNDY MUTUAL INSURANCE	\$ 295.63	\$ 295.63
GENERAL AMERICAN LIFE INS.	\$ -	
GERBER LIFE INSURANCE COMPANY	\$ 5.35	\$ 5.35
GRAIN INSURANCE AND GUARANTEE	\$ 135.85	\$ 135.85
GREAT AMERICAN	\$ -	
FIRST NORTH AMERICAN INSURANCE	\$ 5.16	\$ 5.16
FORTIS BENEFITS INSURANCE COMP	\$ 128.06	\$ 128.06
GCAN INSURANCE COMPANY	\$ 80.03	\$ 80.03
GENWORTH FINACIAL MORTGAGE INSURANCE	\$ 624.00	\$ 624.00
GORE MUTUAL INSURANCE COMPANY	\$ -	
GREAT AMERICAN INSURANCE COMP	\$ 70.65	\$ 70.65
GREEN SHIELD CANADA	\$ 38.56	\$ 38.56
HARTFORD FIRE INSURANCE COMP	\$ 68.11	\$ 68.11
HERITAGE GENERAL INSURANCE COMPANY	\$ 49.54	\$ 49.54
INDUSTRIAL-ALLIANCE PACIFIC GENERAL	\$ -	
INDUSTRIELLE ALLIANCE ASS.	\$ 841.75	\$ 841.75
ING NOVEX INSURANCE	\$ 234.92	\$ 234.92
INSURANCE CORPORATION OF NEWFOUNDLAND	\$ -	
JOHN ALDEN LIFE INSURANCE COMPANY	\$ -	
HARTFORD LIFE INSURANCE	\$ -	
HOUSEHOLD LIFE INSURANCE COMPANY	\$ 155.27	\$ 155.27
INDUSTRIAL ALLIANCE PACIFIC LIFE	\$ 629.34	\$ 629.34

COMPANY	AMOUNT OF ASSESSMENT	AMOUNT PAID
ING INSURANCE COMPANY	\$ 5,405.43	\$ 5,405.43
INNOVATIVE CORPORTATION	\$ -	
CAN CHIEF AGENT	\$ -	
KINGSWAY GENERAL INSURANCE COMP	\$ 671.66	\$ 671.66
KNIGHTS OF COLUMBUS	\$ 487.30	\$ 487.30
LA COMPAGNIE D'ASSURANCE	\$ -	
LA GARANTIE COMAGNIE D'ASS.	\$ 664.24	\$ 664.24
LAWYERS' PROFESSIONAL INDEMNITY	\$ 0.28	\$ 0.28
LEGACY GENERAL INSURANCE COM	\$ 91.19	\$ 91.19
LIBERTY LIFE ASSURANCE COMPANY	\$ -	
LIBERTY MUTUAL INSURANCE COMP	\$ 225.45	\$ 225.45
LA CAPITALE ASSURANCE ET GESTION	\$ -	
LA COMPAGNIES D'ASSURANCE JEVCO	\$ 41.84	\$ 41.84
LA SURVIVANCE COMPANGNIE MUTUELLE	\$ 48.13	\$ 48.13
LAWYERS TITLE INSURANCE CORPORTATION	\$ -	
L'EXCELLENCE COMPAGNIE D'ASSURANCE	\$ -	
LIBERTY MUTUAL FIRE INSURANCE	\$ -	
LIFE INSURANCE COMPANY OF NORTH AM.	\$ -	
LIFE INSVESTORS INSURANCE COMP	\$ 15.95	\$ 15.95
LLOYD'S UNDERWRITERS	\$ 1,228.20	\$ 1,228.20
LOMBARD INSURANCE	\$ 189.70	\$ 189.70
LONDON LIFE INSURANCE COMPANY	\$ 2,667.86	\$ 2,667.86
LUMBERMENS UNDERWRITING ALLIANCE	\$ 396.86	\$ 396.86
L'UNION-VIE COMPANIE MUTUELLE	\$ 1.31	\$ 1.31
MARKEL INSURANCE COMPANY	\$ 1,367.52	\$ 1,367.52
L'INTERNATIONALE COMPAGNIE D'ASSURANCE	\$ 1.69	\$ 1.69
LOMBARD GENERAL INSURANCE COMP	\$ 1,903.42	\$ 1,903.42
LONDON AND MIDLAND GENERAL	\$ 303.13	\$ 303.13
LUMBERMENS MUTUAL CASUALTY COMP	\$ 0.94	\$ 0.94
L'UNION CANADIANNE COMPAGNIE	\$ -	
MANULIFE CANADA	\$ 152.27	\$ 152.27
MASSACHUSETTS MUTUAL LIFE	\$ -	
MD LIFE INSURANCE COMPANY	\$ 156.77	\$ 156.77
METLIFE CANADA	\$ -	
mitsui sumitomo insurance company	\$ 7.04	\$ 7.04
NATIONAL FIDELITY LIFE INS.	\$ 0.09	\$ 0.09

<b>COMPANY</b>	<b>AMOUNT OF ASSESSMENT</b>	<b>AMOUNT PAID</b>
NEW YORK LIFE INSURANCE COMPANY	\$ 26.18	\$ 26.18
OLD REPUBLIC INSURANCE COMP	\$ 144.86	\$ 144.86
OPTIMUM FRONTIER INSURANCE	\$ -	
MEDAVIE INC	\$ 20,226.34	\$ 20,226.34
METROPOLITAN LIFE INSURANCE	\$ 0.28	\$ 0.28
MORTORS INSURANCE CORPORATION	\$ 22.61	\$ 22.61
NATIONAL LIABILITY & FIRE INSURANCE	\$ 1.13	\$ 1.13
NOTH AMERICAN SPECIALTY INSURANCE	\$ -	
OMEGA GENERAL INSURANCE COMPANY	\$ -	
OPTIMUM SOCIÉTÉ D'ASSURANCE INC	\$ -	
ORLÉANS COMPAGNIE D'ASSURANCE	\$ 6.94	\$ 6.94
PEMBRIDGE INSURANCE COMPANY	\$ 1,398.57	\$ 1,398.57
CAN CHIEF AGENT	\$ -	
PRIMERICA LIFE INSURANCE	\$ 100.57	\$ 100.57
PROMUTUEL GASPÉSIE- LES ILES	\$ 168.78	\$ 168.78
PROMUTUEL VIE INC	\$ -	
PROVIDENT LIFE AND ACCIDENT INS	\$ 165.59	\$ 165.59
PAFCO INSURANCE	\$ 210.34	\$ 210.34
PENNCORP LIFE INSURANCE	\$ 52.73	\$ 52.73
PERTH INSURANCE COMPANY	\$ 294.41	\$ 294.41
PRIMUM INSURANCE COMPANY	\$ 751.97	\$ 751.97
PROMUTUEL TÉMISCOUATA SOCIÉTÉ	\$ 170.19	\$ 170.19
PROTECTIVE INSURANCE	\$ 1.69	\$ 1.69
QUEBEC ASSRUANCE COMPANY	\$ -	
RBC GENERAL INSURANCE COMPANY	\$ 1,096.10	\$ 1,096.10
RBC TRAVEL INSURANCE COMPANY	\$ 206.59	\$ 206.59
REVIOS REINSURANCE CANADA	\$ -	
SCOTIA GENERAL INSURANCE COMP	\$ -	
SCHOTTISH & YORK INSURANCE	\$ 178.82	\$ 178.82
SECURITY NATIONAL INSURANCE COMP	\$ 1,939.73	\$ 1,939.73
SOMPO JAPAN INSURANCE	\$ 0.66	\$ 0.66
RBC LIFE INSURANCE COMPANY	\$ 1,872.36	\$ 1,872.36
RELLABLE LIFE INSURANC COMP	\$ 96.92	\$ 96.92
ROYAL & SUN ALLIANCE INSURANCE	\$ 3,034.79	\$ 3,034.79
SCOTIA LIFE INSURANCE COMPANY	\$ 89.88	\$ 89.88
SECURICAN GENERAL INSURANCE	\$ 4.78	\$ 4.78



<b>COMPANY</b>	<b>AMOUNT OF ASSESSMENT</b>	<b>AMOUNT PAID</b>
SENTRY INSURANCE	\$ 1.69	\$ 1.69
SOUTHEASTERN MUTUAL INSURANCE COM	\$ 426.97	\$ 426.97
SPECIALTY NATIONAL INSURANCE COM.	\$ -	
ST. PAUL FIRE AND MARINE INSURANCE	\$ 398.17	\$ 398.17
STANLEY MUTUAL INSURANCE COMPANY	\$ 489.65	\$ 489.65
STATE FARM LIFE INSURANCE COMP	\$ 166.91	\$ 166.91
STEWART TITLE GUARANTY COMPANY	\$ 37.72	\$ 37.72
SUN LIFE ASSURANCE COMPANY	\$ 6,945.11	\$ 6,945.11
CANADIAN PROFESSIONAL SALES ASSOCIATE	\$ -	
SSQ, SOCIÉTÉ D'ASSURANCE-VIE	\$ 76.74	\$ 76.74
ST. PAUL GUARANTEE INSURANCE	\$ 245.62	\$ 245.62
STATE FARM FIRE AND CASUALTY	\$ 1,149.20	\$ 1,149.20
STATE FARM MUTUAL AUTOMOBILE	\$ 3,004.39	\$ 3,004.39
SONEBRIDGE LIFE INSURANCE	\$ 0.19	\$ 0.19
SUNDERLAND MARINE MUTUAL INSURANCE	\$ 527.14	\$ 527.14
TD DIRECT INSURANCE	\$ -	
TD GENERAL INSURANCE COMPANY	\$ -	
TD LIFE INSURANCE	\$ 23.55	\$ 23.55
THE AMERICAN ROAD INSURANCE	\$ 19.23	\$ 19.23
THE CANADA LIFE INSURANCE COMPANY	\$ -	
THE BRITISH AVIATION INSURANCE COMP	\$ -	
THE DOMINION OF CANADA GENERAL	\$ 2,155.79	\$ 2,155.79
THE EQUITABLE LIFE INSURANCE COMP	\$ 68.68	\$ 68.68
TD HOME AND AUTO INSURANCE	\$ 191.20	\$ 191.20
TEMPLE INSURANCE COMPANY	\$ 258.29	\$ 258.29
THE BOILER INSPECTION AND INS.	\$ 140.45	\$ 140.45
THE CANADA LIFE ASSURANCE COMP.	\$ 4,195.72	\$ 4,195.72
THE CITADEL GENERAL ASSURANCE	\$ 1,635.56	\$ 1,635.56
THE EMPIRE LIFE INSURANCE COMP.	\$ 122.25	\$ 122.25
THE GRAND ORANGE LODGE OF BRITHISH	\$ 4.22	\$ 4.22
THE GREAT WEST LIFE ASSURANCE	\$ 4,215.14	\$ 4,215.14
THE INSURANCE COMPANY FO PEI	\$ 20.83	\$ 20.83
THE MISSISQUOI INSURANCE	\$ 1.13	\$ 1.13
THE NATIONAL LIFE ASSURANCE	\$ 344.32	\$ 344.32
THE NORTH WATERLOO FARMERS MUTUAL	\$ -	
THE PERSONAL INSURANCE COMPANY	\$ 1,544.09	\$ 1,544.09

COMPANY	AMOUNT OF ASSESSMENT	AMOUNT PAID
THE PRUDENTIAL INSURANCE COMP.	\$ 4.50	\$ 4.50
THE INDEPENDENT ORDER OF FORESTERS	\$ 18.95	\$ 18.95
THE MANUFACTURERS LIFE INSURANCE	\$ 7,849.63	\$ 7,849.63
THE MORGAGE INSURANCE	\$ -	
THE NORDIC INSURANCE COMP	\$ -	
THE ORDER OF UNITED COMMERCIAL TRA	\$ 6.57	\$ 6.57
THE PORTAGE LA PRAIRIE MUTUAL INS	\$ 986.80	\$ 986.80
THE SOVEREING GENERAL INSURANCE	\$ 462.91	\$ 462.91
THE STANDARD LIFE ASSURANCE	\$ 682.07	\$ 682.07
THE TRAVELERS INDEMNITY COMPANY	\$ -	
THE WAWANESA LIFE INSURANCE	\$ 160.71	\$ 160.71
TIG INSURANCE COMPANY	\$ -	
TRADERS GENERAL INSURANCE	\$ 966.53	\$ 966.53
TANS GLOBAL INSURANCE COMPANY	\$ -	
TRANSAMERICA LIFE CANADA	\$ 346.29	\$ 346.29
THE STANDARD LIFE ASSURANCE COMP	\$ -	
THE TRAVELERS INSURANCE COMPANY	\$ -	
THE WAWANESA MUTUAL INSURANCE	\$ 7,831.52	\$ 7,831.52
TOKIO MARINE & NICHLD0 FIRE INSURANCE	\$ 2.53	\$ 2.53
TRAFGAR INSURANCE	\$ 275.08	\$ 275.08
TRAHS GLOBAL LIFE INSURANCE	\$ -	
TRANSATLANTIC REINSURANCE COMP	\$ -	
TRENT HEALTH INSURANCE COMP	\$ -	
UNIFUND ASSURANCE	\$ 1,727.32	\$ 1,727.32
UNITED AMERICAN INSURANCE COMP.	\$ 0.66	\$ 0.66
UNITY LIFE OF CANADA	\$ 43.91	\$ 43.91
VIRGINIA SURETY COMPANY	\$ -	
WESTERN ASSURANCE COMAPANY	\$ -	
WESTERN SURETY COMPANY	\$ 43.44	\$ 43.44
UAP NEWROTTARDAM INSURANCE	\$ -	
UNION DU CANADA ASSURANCE-VIE	\$ 11.54	\$ 11.54
UNITED GENERAL INSURANCE CORP	\$ 763.88	\$ 763.88
UTICA MUTUAL INSURANCE	\$ 1.31	\$ 1.31
WATERLOO INSURANCE COMPANY	\$ 54.23	\$ 54.23
WESTERN LIFE ASSURANCE	\$ 8.91	\$ 8.91
WOMAN'S LIFE INSURANCE SOCIETY	\$ -	

<b>COMPANY</b>	<b>AMOUNT OF ASSESSMENT</b>	<b>AMOUNT PAID</b>
XL DESIGN PROFESSIONAL	\$ 10.51	\$ 10.51
XL REINSURANCE AMERICA	\$ 39.50	\$ 39.50
ZURICH INSURANCE COMPANY	\$ 1,653.86	\$ 1,653.86
XL INSURANCE COMPANY LIMITED	\$ 202.18	\$ 202.18
ZENITH INSURANCE COMPANY	\$ 624.00	\$ 624.00
TRAVELERS CASUALTY & SURETY COMPANY	\$ 18.39	\$ 18.39
	<b>\$ 150,884.55</b>	<b>\$ 150,884.55</b>