

Consumer Advocate for Insurance.



Défenseur du consommateur en matière d'assurances.

April 19, 2016

The Honorable Chris Collins Speaker of the Legislative Assembly of New Brunswick Legislative Assembly Building P.O. Box 6000 Fredericton, NB E3B 5H1

Mr. Speaker,

Pursuant of subsection 10 (1) of the Consumer Advocate for Insurance Act, I am pleased to submit our annual report on the activities of the Office of the Consumer Advocate for Insurance for the calendar year 2015. The report also contains a summary regarding the total amount of expenditures assessed against licensed insurers and the amount paid by each insurer for the fiscal year that ended March 31. 2015.

Respectfully,

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Ronald Godin Consumer Advocate for Insurance for New Brunswick for the year 2015

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1. INTRODUCTION

The Consumer Advocate has been in office since January 1, 2005. We are pleased to submit our annual report for the calendar year 2015.

The report is submitted in accordance with subsection 10 (1) of the Consumer Advocate for Insurance Act, which states 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.

This 11th annual report will concentrate mainly on the requirements of the above mentioned subsection 10 (1) of the Consumer Advocate for Insurance Act.

2. **RESPONSIBILITIES OF THE CONSUMER ADVOCATE**

The Consumer Advocate for Insurance was appointed for a ten year term, commencing January 1, 2005. The term was extended for a further 12 months effective January 1, 2015. The Consumer Advocate is an officer of the Legislative Assembly.

Pursuant to subsection 7 (1) of the *Consumer Advocate for Insurance Act*, 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) provided that the Consumer Advocate «may appear before the New Brunswick Insurance Board to represent the interests of consumers»

3. OFFICE OF THE CONSUMER ADVOCATE

The Office of the Consumer Advocate for Insurance began operating officially on March 7, 2005. The office has a permanent staff of 4 and 1 casual employee. In addition to the Consumer Advocate, the office is made up of the following employees: Pauline Lafortune: Administrative Assistant Sandra Godin: Assistant Consumer Advocate Anne-Marie Ramsay: Assistant Consumer Advocate Solange Godin: Administrative Assistant (casual)

The office is located at: 270 Douglas Avenue, Suite 406, Keystone Place, Bathurst, New Brunswick.

4. ACTIVITIES OF THE CONSUMER ADVOCATE

The Consumer Advocate participated in the following activities:

- Filling Annual Report for 2014
 Fredericton, NB
 March28, 2015
- Meeting with Insurance Bureau of Canada Fredericton, NB August 12, 2015
- Appearance before the Standing Committee on Procedures, Privileges and Legislative officers
 Fredericton, NB
 November 12, 2015
- 11 Newspaper interviews
- 4 Radio interviews
- 2 Television interviews

5. INQUIRIES TO THE OFFICE OF THE ADVOCATE

5.1 Number of inquiries

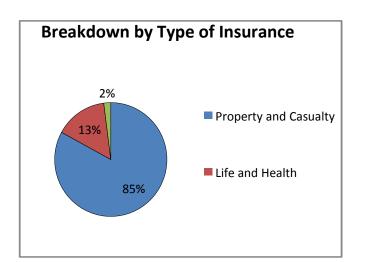
We received many inquiries in 2015, and the following table shows that we responded to concerns, complaints, requests for information and assistance as follow:

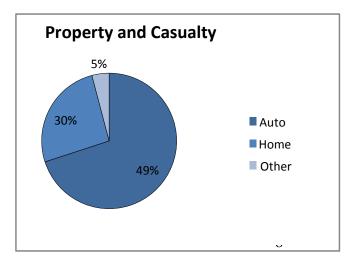
	Number	(%)
# completed	1099	100.00%

5.2 Breakdown by Type of Insurance

The following table presents a breakdown of the inquires by type of insurance.

	Number	(%)
Property and Casualty	929	84.50%
Auto54149.20%Home		
Life and Health	145	13.20%
Non insurance related	25	2.30%





5.3 Nature of inquires

The following table illustrates the main areas of concerns from consumers in regards to insurance.

	Number	(%)
Claims	613	55.80%
Premiums	390	35.50%
Information	74	6.70%
Other	22	2.00%

5.4 Origin of inquires

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

	Number	(%)
Public	987	89.70%
Adjusters	33	3.00%
Government	11	1.00%
Lawyers	28	2.60%
Brokers	14	1.30%
Insurers	11	1.00%
Agents	4	0.40%
Institution	2	0.20%
Corporations	2	0.20%
Media	0	0.00%
Other	7	0.60%

5.5 Breakdown by County

We compiled a list of all the inquiries by county, as shown in the following table.

	#	(%)
Gloucester	305	28.00%
Westmorland	146	13.20%
York	93	8.40%
Saint John	113	10.20%
Kings	59	5.30%
Madawaska	79	7.10%
Northumberland	42	4.00%
Restigouche	53	4.80%
Charlotte	17	1.50%
Kent	27	2.40%
Carleton	19	1.70%
Sunbury	17	1.50%
Queens	17	1.50%
Albert	10	1.00%
Victoria	16	1.40%
Internet	11	1.00%
Other (outside province)	75	7.00%

6. ASSESSMENT OF OFFICE EXPENDITURES

Subsection 11(1) of the Consumer Advocate for Insurance Act states that: "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 clarify 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) states that: "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 (...).

Subsection 11(3) (a) allows the Consumer Advocate to apportion the expenditure against any particular class of insurance. It states as follows:

"Where any portion, as the Consumer Advocate determines, of the total amount of the expenditure incurred by the Province for or in connection with the administration of this Act was expended directly or indirectly with that class shall be assessed such amount of that portion as his or her net receipts with respect to that class of insurance are of the total net receipts with respect to that class of insurance of all licensed insurers providing insurance of that class:"

Thus, the Consumer Advocate determined that the total amount of the expenditures for the fiscal year ending March 31, 2013 was to be apportioned as follows, for assessment purposes:

80% as against Property and Casualty insurers

20% as against Life and Health insurers

The total amount of expenditures incurred for the fiscal year ending March 31, 2015 was

\$489,297.00. This amount has been assessed against every licensed insurer in New-

Brunswick, by means of a notice of assessment submitted to each company. Attached hereto

as $\mathbf{Appendix}$ A is the breakdown of the total amount submitted to all the licensed insurers for

the previous year, as well as the amount paid by each.

7. APPENDIX A : STATEMENT OF ASSESSMENTS

Company name	Assessment	Paid
Acadie Vie	2 001,38 \$	2001,38
ACE INA Insurance	3 070,80 \$	3070,8
ACE INA Life Insurance	527,48 \$	527,48
ACTRA Fraternal Benefit Society	2,36 \$	2,36
Aetna Life Insurance Company	- \$	
Affiliated FM Insurance Company	111,22 \$	111,22
AIG Insurance Company of Canada	7 658,11 \$	7658,11
Allianz Global Risks US Insurance Company	1 125,21 \$	1125,21
Allianz Life Insurance Company of North America	- \$	· · ·
Allied World Specialty Insurance	178,20 \$	178,2
Allstate Insurance Company	- \$	
Allstate Insurance Company of Canada	14 515,75 \$	14515,75
American Bankers Insurance Company of Florida	2 910,86 \$	2910,86
American Bankers Life Assurance Company of Florida	669,13 \$	669,13
American Health and Life Insurance Company	67,17 \$	67,17
American Income Life Insurance Company	550,48 \$	550,48
Arch Insurance Canada Ltd	811,03 \$	811,03
Arch Insurance Company	- \$,
Ascentus Insurance Ltd.	- \$	
Aspen Insurance UK Limited	48,30 \$	48,3
Associated Electric & Gas Insurance Services Limited	94,99 \$	94,99
Assomption Compagnie Mutuelle d'Assurance-vie	4 840,30 \$	4840,30
Assurance-Vie Banque Nationale Compagnie d'Assurance-Vie	694,39 \$	694,39
Assurant Life of Canada	132,41 \$	132,41
Atradius Credit Insurance N.V.	- \$	
Aviva Insurance Company of Canada	29 986,23 \$	29986,23
AXA Art Insurance Corporation	6,90 \$	6,9
AXA Assurances Inc.	- \$	
AXA Equitable Life Insurance Company	- \$	
AXA General Insurance	- \$	
AXA Insurance (Canada)	- \$	
AXA Pacific Insurance Company	- \$	
AXIS Reinsurance Company (Canadian Branch)	439,21 \$	439,21
Berkley Insurance Company	55,61 \$	55,61
Blue Cross Life Insurance Company of Canada	2 391,61 \$	2391,61
BMO Life Assurance Company	611,31 \$	611,31
BMO Life Insurance Company	62,76 \$	62,76
CAA Insurance Company (Ontario)	1 980,49 \$	1980,49
Canada Guaranty Mortgage Insurance Company	647,44 \$	647,44
Canadian Egg Industry Reciprocal Alliance (CEIRA)	42,62 \$	42,62
Canadian Farm Insurance Corp.	1,62 \$	1,62
Canadian Lawyers Insurance Association (CLIA)	358,83 \$	358,83

Company name	Assessment	Paid
Canadian Northern Shield Insurance Company	2,03 \$	2,03
Canadian Premier Life Insurance Company	479,76 \$	479,76
Canadian Universities Reciprocal Insurance Exchange	349,50 \$	349,5
Canassurance compagnie d'assurance	703,46 \$	703,46
Carleton Mutual Insurance Company	809,41 \$	809,41
Certas Home and Auto Insurance Company	- \$	
Chicago Title Insurance Company	136,39 \$	136,39
Chubb Insurance Company of Canada	1 378,51 \$	1378,51
CIBC Life Insurance Company Limited / Compagnie d'assurance-vie CIBC Limitée	129,29 \$	129,29
CIGNA Life Insurance Company of Canada	- \$	
CMFG life Insurance Company	- \$	
CMS Insurance Inc.	10,55 \$	10,55
Coachman Insurance Company	0,81 \$	0,81
Combined Insurance Company of America	1 650,80 \$	1650,8
Compagnie Française d'Assurance pour le Commerce Extérieur	126,24 \$	126,24
CompCorp Life Insurance Company	- \$	
Continental Casualty Company	969,34 \$	969,34
Co-operators General Insurance Company	19 148,53 \$	19148,53
Co-operators Life Insurance Company	1 957,31 \$	1957,31
CorePointe Insurance Company	0,41 \$	0,41
COSECO Insurance Company	761,91 \$	761,91
CT Financial Assurance Company	7,09 \$	7,09
CUMIS General Insurance Company	1 997,95 \$	1997,95
CUMIS Life Insurance Company	734,69 \$	734,69
DAS Legal Protection Insurance Company Limited	40,19 \$	40,19
Desjardins Sécurité financière compagnie d'assurance vie	3 430,46 \$	3430,46
Ecclesiastical Insurance Office Public Limited Company	1 518,15 \$	1518,15
Echelon General Insurance Company	341,38 \$	341,38
Economical Mutual Insurance Company	11 749,80 \$	11749,8
Electric Insurance Company	51,55 \$	51,55
Elite Insurance Company	7 111,34 \$	7111,34
Employers Insurance Company of Wausau	- \$	
Euler Hermes North America Insurance Company	153,84 \$	153,84
Everest Insurance Company of Canada	200,53 \$	200,53
Factory Mutual Insurance Company	4 218,74 \$	4218,74
FaithLife Financial	- \$	
Farm Mutual Reinsurance Plan Inc.	- \$	
FCT Insurance Company Ltd.	1 130,90 \$	1130,9
Federal Insurance Company	2,03 \$	2,03
Federated Insurance Company of Canada	483,45 \$	483,45
Federation Insurance Company of Canada	11 441,30 \$	11441,3
Fenchurch General Insurance Company	7,31 \$	7,31
Fidelity National Title Insurance Company	- \$,
First American Title Insurance Company	45,87 \$	45,87
First Canadian Insurance Corporation	867,53 \$	867,53
First North American Insurance Company	75,10 \$	75,1

Company name	Assessment	Paid
Foresters Life Insurance Company	180,23 \$	180,23
Fundy Mutual Insurance Company	1 472,68 \$	1472,68
Genworth Financial Mortgage Insurance Company Canada	2 859,72 \$	2859,72
Gerber Life Insurance Company	12,36 \$	12,36
Giraffe & Friends Life Insurance Company	- \$	
Gore Mutual Insurance Company	25,57 \$	25,57
Great American Insurance Company	595,08 \$	595,08
Green Shield Canada	827,27 \$	827,27
Groupama S.A.	- \$	
Hartford Fire Insurance Company	7,31 \$	7,31
Hartford Life Insurance Company	- \$	
HDI-Gerling Industrie Versicherung AG	32,07 \$	32,07
Healthcare Insurance Reciprocal of Canada	9,74 \$	9,74
Humania Assurance Inc	141,76 \$	141,76
Industrial Alliance Insurance and Financial Services Inc.	4 776,14 \$	4776,14
Industrial Alliance Pacific Insurance and Financial Services Inc.	- \$	
Industrial-Alliance Pacific General Insurance Corporation	1 634,24 \$	1634,24
Intact Insurance Company	37 529,46 \$	37529,46
International Insurance Company of Hannover Ltd.	167,65 \$	167,65
Ironshore Insurance Ltd.	65,76 \$	65,76
Jewelers Mutual Insurance Company	34,10 \$	34,1
Knights of Columbus	680,74 \$	680,74
La Capitale assurances et gestion du patrimoine inc.	359,28 \$	359,28
La Capitale General Insurance Inc.	- \$	
La Compagnie d'assurance Belair inc.	- \$	
La Compagnie d'Assurances Jevco	(12,99) \$	
La Survivance – Voyage, compagnie d'assurance	22,68 \$	22,68
Lawyers' Professional Indemnity Company	- \$	22,00
Legacy General Insurance Company	118,12 \$	118,12
L'Excellence Compagnie d'assurance-vie	120,80 \$	110,12
Liberty Life Assurance Company of Boston	- \$	120,0
Liberty Mutual Insurance Company	3 208,81 \$	3208,81
Life Insurance Company of North America	3,44 \$	3,44
Lloyd's Underwriters	14 457,30 \$	14457,3
London Life Insurance Company	6 461,54 \$	6461,54
Lumbermen's Underwriting Alliance	0401,54 Ş ć	0401,34
L'Union Canadienne Compagnie d'Assurances	- \$	
L'Union-Vie, compagnie mutuelle d'assurance	77,17 \$	77,17
L'Unique assurances générales inc.	99,04 \$	99,04
Manulife Canada Ltd.		99,04
Massachusetts Mutual Life Insurance Company	- \$	
MD Life Insurance Company	- \$ - \$	
Medavie Inc.		0570.44
Millennium Insurance Corporation	9 570,11 \$	9570,11
Mitsui Sumitomo Insurance Company Limited	276,84 \$	276,84
Mitsur Sumitorio Insurance Company Limited	35,32 \$	35,32
พ่อเอาง แางนาสแบบ บอาทุยาลแบบ	16,64 \$	16,64

Company name	Assessment	Paid
Munich Reinsurance America, Inc	- \$	
National Liability & Fire Insurance Company	46,68 \$	46,68
New York Life Insurance Company	63,95 \$	
Northbridge Commercial Insurance Corporation	2 281,28 \$	2281,28
Northbridge General Insurance Corporation	5 305,39 \$	5305,39
Northbridge Indemnity Insurance Corporation	- \$	
Northbridge Personal Insurance Corporation	31,66 \$	31,66
Novex Insurance Company	155,47 \$	155,47
Old Republic Insurance Company of Canada	443,27 \$	443,27
Omega General Insurance Company	102,70 \$	102,7
Optimum Société d'Assurance inc.	- \$	
Orion Travel Insurance Company	48,30 \$	48,3
Pafco Insurance Company	852,43 \$	852,43
Pavonia Life Insurance Company of Michigan	21,17 \$	21,17
Pembridge Insurance Company	6 726,93 \$	6726,93
Penncorp Life Insurance Company	42,88 \$	42,88
Perth Insurance Company	52,36 \$	52,36
Primerica Life Insurance Company of Canada	161,32 \$	161,32
Primmum Insurance Company	5 850,95 \$	5850,95
Promutuel de L'Estuaire, Société d'ass. Générale	6 185,84 \$	6185,84
Promutuel des Riverains, société mutuelle d'assurance générale	- \$	0100,01
Promutuel Vie Inc.	- \$	
Protective Insurance Company	13,40 \$	13,4
Quebec Assurance Company	- \$	
RBC General Insurance Company	4 602,34 \$	4602,34
RBC Insurance Company of Canada	741,62 \$	741,62
RBC Life Insurance Company	1 550,95 \$	1550,95
Reliable Life Insurance Company	43,42 \$	43,42
Royal & Sun Alliance Insurance Company of Canada	11 386,50 \$	11386,5
Safety National Casualty Corporation	- \$	11300,5
Scotia General Insurance Company	- \$	
Scotia Life Insurance Company	275,99 \$	275,99
Scottish & York Insurance Co. Limited	- \$	270,00
Security Insurance Company of Hartford	- \$	
Security National Insurance Company	15 192,42 \$	15192,42
Sentry Insurance a Mutual Company	2,44 \$	2,44
Sompo Japan Nipponkoa Insurance Inc.	0,81 \$	0,81
SouthEastern Mutual Insurance Company	2 885,70 \$	2885,7
SSQ, Insurance Company Inc.	250,31 \$	250,31
SSQ, Société d'Assurance-Vie inc.	726,74 \$	726,74
St. Paul Fire and Marine Insurance Company	431,90 \$	431,9
Standard Life Assurance Limited	- \$	+31,3
Stanley Mutual Insurance Company	3 096,77 \$	3096,77
Starr Insurance and Reinsurance Limited	6,90 \$	6,9
State Farm Fire and Casualty Company	7 032,59 \$	7032,59
State Farm International Life Insurance Company Ltd.		
otato i ann international circ insulance company ciu.	306,41 \$	306,41

Company name	Assessment	Paid
State Farm Mutual Automobile Insurance Company	11 418,97 \$	11418,97
Stewart Title Guaranty Company	505,37 \$	505,37
Sun Life Assurance Company of Canada	13 399,94 \$	13399,94
Sun Life Insurance (Canada) Limited	- \$	
Sunderland Marine Mutual Insurance Company Limited	2 912,89 \$	2912,89
T.H.E. Insurance Company	0,41 \$	0,41
TD Direct Insurance Inc.	- \$,
TD General Insurance Company	- \$	
TD Home and Auto Insurance Company	317,43 \$	317,43
TD Life Insurance Company	57,07 \$	57,07
Technology Insurance Company, Inc	- \$	
Temple Insurance Company	1 583,91 \$	1583,91
The American Road Insurance Company	46,28 \$	46,28
The Boiler Inspection and Insurance Company of Canada	371,82 \$	371,82
The Canada Life Assurance Company	9 799,67 \$	9799,67
The Canada Life Insurance Company of Canada	- \$	5755,07
The Dominion of Canada General Insurance Company	8 814,18 \$	8814,18
The Empire Life Insurance Company	406,57 \$	406,57
The Equitable Life Insurance Company of Canada	334,35 \$	334,35
The Grand Orange Lodge of British America Benefit Fund	9,46 \$	9,46
The Great-West Life Assurance Company	9 064,12 \$	9064,12
The Guarantee Company of North America	1 730,44 \$	1730,44
The Independent Order of Foresters	20,63 \$	20,63
The Insurance Company of Prince Edward Island	3 475,09 \$	3475,09
The Manufacturers Life Insurance Company	14 892,21 \$	14882,21
The Missisquoi Insurance Company	- \$	14002,21
The Mortgage Insurance Company of Canada	- \$	
The Nordic Insurance Company of Canada / La Nordique compagnie	- >	
d'assurance du Canada	- \$	
The North Waterloo Farmers Mutual Insurance Company	- \$	
The Order of United Commercial Travelers of America	5,16 \$	5,16
The Personal Insurance Company	6 712,32 \$	6712,32
The Portage la Prairie Mutual Insurance Company	5 156,01 \$	5156,01
The Shipowners' Mutual Protection and Indemnity Association		
(Luxembourg) [Canada Branch]	- \$	
The Sovereign General Insurance Company	3 930,54 \$	3930,54
The Standard Life Assurance Company of Canada	954,15 \$	954,15
The Wawanesa Life Insurance Company	376,70 \$	376,7
The Wawanesa Mutual Insurance Company	43 266,76 \$	43266,76
TIG Insurance Company	- \$	
Tokio Marine & Nichido Fire Insurance Co. Ltd.	25,17 \$	25,17
Traders General Insurance Company	4 262,99 \$	4262,99
Trafalgar Insurance Company of Canada	616,19 \$	616,19
Trans Global Insurance Company	6,90 \$	6,9
Trans Global Life Insurance Company	0,11 \$	0,11
Transamerica Life Canada	464,61 \$	464,61
Travelers Insurance Company of Canada	666,52 \$	666,52

Company name	Assessment	Paid
Trisura Guarantee Insurance Company	688,44 \$	688,44
Triton Insurance Company	460,72 \$	460,72
Unica Insurance Inc.	- \$	
Unifund Assurance Company	14 745,91 \$	14745,91
United American Insurance Company	0,64 \$	0,64
United General Insurance Corporation	2 402,65 \$	2402,65
Utica Mutual Insurance Company	- \$	
Virginia Surety Company Inc.	- \$	
Waterloo Insurance Company	1 344,01 \$	1344,01
Western Assurance Company	- \$	
Western Financial Insurance Company	233,81 \$	233,81
Western Life Assurance Company	416,78 \$	416,78
Western Surety Company	332,86 \$	332,86
Westport Insurance Corporation	897,90 \$	897,9
Wynward Insurance Group	928,75 \$	928,75
XL Insurance Company Limited	1 807,97 \$	1807,97
XL Reinsurance America Inc.	119,34 \$	119,34
Zenith Insurance Company	1 300,98 \$	1300,98
Zurich Insurance Company Ltd	4 407,90 \$	4407,9
	489 297,00 \$	489236,06