

# 2014 Annual Report



*Office of the Consumer  
Advocate for Insurance*



Consumer Advocate for Insurance.  
Défenseur du consommateur en  
matière d'assurances.

March 28, 2015

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 2014. 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. 2014.

Respectfully,

Ronald Godin  
Consumer Advocate for Insurance for New Brunswick

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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 2014.

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 10<sup>th</sup> 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 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:

- Appearance before Legislative Administration Committee  
Fredericton, NB  
January 25, 2014
- Filing Annual Report for 2013  
Fredericton, NB  
April 9, 2014
- Meeting with Insurance Bureau of Canada  
Moncton, NB  
May 7, 2014
- 18 Newspaper interviews
- 24 Radio interviews
- 5 Television interviews

## 5. INQUIRIES TO THE OFFICE OF THE ADVOCATE

### 5.1 Number of inquiries

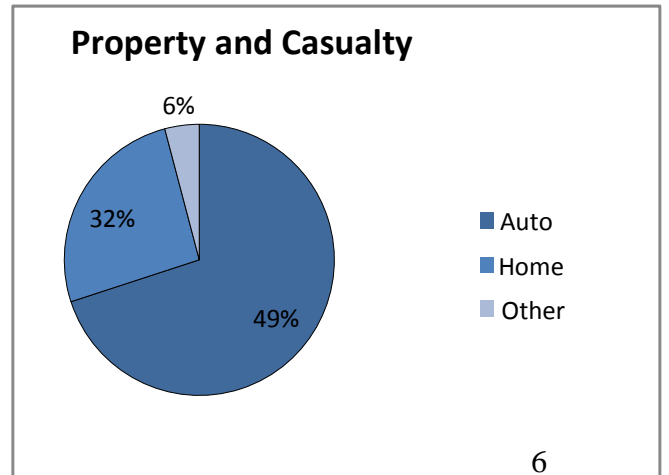
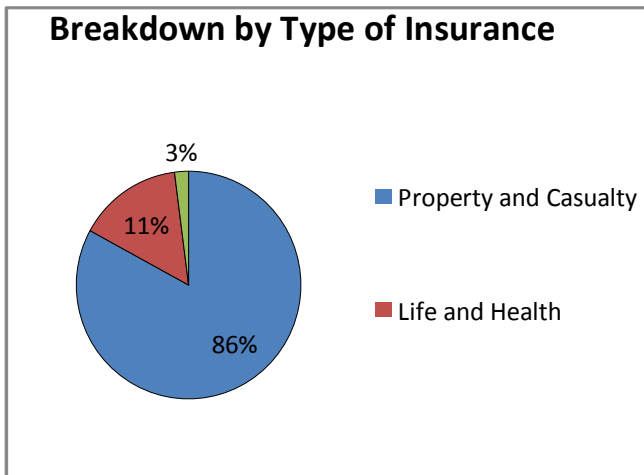
We received many inquiries in 2014, and the following table shows that we responded to concerns, complaints, requests for information and assistance as follow:

	<i>Number</i>	<i>(%)</i>
# completed	1059	100.00%

### 5.2 Breakdown by Type of Insurance

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

	<i>Number</i>	<i>(%)</i>
Property and Casualty	915	86.40%
<i>Auto.....</i>	<i>517</i>	<i>48.82%</i>
<i>Home.....</i>	<i>334</i>	<i>31.54%</i>
<i>Other.....</i>	<i>64</i>	<i>6.04%</i>
<i>Total</i>	<i>915</i>	<i>86.40%</i>
Life and Health	115	10.86%
Non insurance related	29	2.74%





### 5.3 Nature of inquires

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

	<i>Number</i>	<i>(%)</i>
Claims	575	54.30%
Premiums	342	32.30%
Information	106	10.01%
Other	36	3.39%

### 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.

	<i>Number</i>	<i>(%)</i>
Public	973	91.88%
Adjusters	20	1.90%
Government	19	1.79%
Brokers	12	1.13%
Lawyers	13	1.22%
Insurers	8	0.75%
Agents	4	0.38%
Institution	2	0.19%
Corporations	2	0.19%
Media	0	0.00%
Other	6	0.57%

## 5.5 Breakdown by County

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

	#	(%)
Gloucester	265	25.02%
Westmorland	176	16.62%
York	128	12.09%
Saint John	127	11.99%
Kings	48	4.53%
Madawaska	42	3.97%
Northumberland	53	5.00%
Restigouche	47	4.44%
Charlotte	28	2.64%
Kent	24	2.27%
Carleton	17	1.61%
Sunbury	17	1.61%
Queens	12	1.13%
Albert	12	1.13%
Victoria	11	1.04%
Internet	4	0.38%
Other (outside province)	48	4.53%

## 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, 2014 was \$508,654.19. 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 **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

<b>Company name</b>	<b>Assessment</b>	<b>Paid</b>
Acadie Vie	1 917,67 \$	1 917,67 \$
ACE INA Insurance	3 011,35 \$	3 011,35 \$
ACE INA Life Insurance	460,80 \$	460,80 \$
ACTRA Fraternal Benefit Society	2,52 \$	2,52 \$
Aetna Life Insurance Company	- \$	
Affiliated FM Insurance Company	433,51 \$	433,51 \$
AIG Insurance Company of Canada	7 884,10 \$	7 884,10 \$
Allianz Global Risks US Insurance Company	965,76 \$	965,76 \$
Allianz Life Insurance Company of North America	0,11 \$	
Allstate Insurance Company	- \$	
Allstate Insurance Company of Canada	14 116,70 \$	14 116,70 \$
American Bankers Insurance Company of Florida	2 974,43 \$	2 974,43 \$
American Bankers Life Assurance Company of Florida	670,37 \$	670,37 \$
American Health and Life Insurance Company	74,46 \$	74,46 \$
American Income Life Insurance Company	557,85 \$	557,85 \$
Arch Insurance Canada Ltd	- \$	
Arch Insurance Company	- \$	
Ascentus Insurance Ltd.	9,96 \$	9,96 \$
Aspen Insurance UK Limited	72,18 \$	72,18 \$
Associated Electric & Gas Insurance Services Limited	294,12 \$	294,12 \$
Assomption Compagnie Mutuelle d'Assurance-vie	4 714,28 \$	4 714,28 \$
Assurance-Vie Banque Nationale Compagnie d'Assurance-Vie	717,85 \$	717,85 \$
Assurant Life of Canada	166,69 \$	166,69 \$
Atradius Credit Insurance N.V.	- \$	
Aviva Insurance Company of Canada	26 090,33 \$	26 090,33 \$
AXA Assurances Inc.	- \$	
AXA Equitable Life Insurance Company	- \$	
AXA General Insurance	- \$	
AXA Insurance (Canada)	(259,69) \$	
AXA Pacific Insurance Company	7,05 \$	7,05 \$
AXIS Reinsurance Company (Canadian Branch)	135,24 \$	135,24 \$
Berkley Insurance Company	66,37 \$	66,37 \$
Blue Cross Life Insurance Company of Canada	2 314,21 \$	2 314,21 \$
BMO Life Assurance Company	596,78 \$	596,78 \$
BMO Life Insurance Company	78,96 \$	78,96 \$
CAA Insurance Company (Ontario)	1 824,07 \$	1 824,07 \$
Canada Guaranty Mortgage Insurance Company	467,53 \$	467,53 \$
Canadian Egg Industry Reciprocal Alliance (CEIRA)	56,83 \$	56,83 \$
Canadian Farm Insurance Corp.	0,83 \$	
Canadian Lawyers Insurance Association (CLIA)	354,28 \$	354,28 \$
Canadian Northern Shield Insurance Company	2,07 \$	2,07 \$
Canadian Premier Life Insurance Company	522,98 \$	522,98 \$

<b>Company name</b>	<b>Assessment</b>	<b>Paid</b>
Canadian Universities Reciprocal Insurance Exchange	353,45 \$	353,45 \$
Canassurance compagnie d'assurance	800,23 \$	800,23 \$
Carleton Mutual Insurance Company	833,84 \$	833,84 \$
Chicago Title Insurance Company	122,38 \$	122,38 \$
Chubb Insurance Company of Canada	1 611,25 \$	1 611,25 \$
CIBC Life Insurance Company Limited / Compagnie d'assurance-vie CIBC Limitée	130,61 \$	130,61 \$
CIGNA Life Insurance Company of Canada	- \$	
CMFG life Insurance Company	0,11 \$	
Coachman Insurance Company	- \$	
Combined Insurance Company of America	1 561,27 \$	1 561,27 \$
Compagnie Française d'Assurance pour le Commerce Extérieur	121,96 \$	121,96 \$
CompCorp Life Insurance Company	- \$	
Continental Casualty Company	991,89 \$	991,89 \$
Co-operators General Insurance Company	19 196,87 \$	19 196,87 \$
Co-operators Life Insurance Company	1 943,99 \$	1 943,99 \$
CorePointe Insurance Company	0,83 \$	
COSECO Insurance Company	858,73 \$	858.73 \$
CT Financial Assurance Company	7,79 \$	7.79 \$
CUMIS General Insurance Company	1 930,27 \$	1 930,27 \$
CUMIS Life Insurance Company	741,21 \$	721.41 \$
Darwin National Assurance Company	- \$	
DAS Legal Protection Insurance Company Limited	19,08 \$	19.08 \$
Desjardins Sécurité financière compagnie d'assurance vie	3 417,30 \$	3 417,30 \$
Ecclesiastical Insurance Office Public Limited Company	1 296,80 \$	1 296,80 \$
Echelon General Insurance Company	542,62 \$	542,62 \$
Economical Mutual Insurance Company	11 645,48 \$	11 645,48 \$
Electric Insurance Company	53,51 \$	53,51 \$
Elite Insurance Company	9 332,73 \$	9 332,73 \$
Employers Insurance Company of Wausau	- \$	
Euler Hermes North America Insurance Company	124,04 \$	124,04 \$
Everest Insurance Company of Canada	131,92 \$	131,92 \$
Factory Mutual Insurance Company	5 093,03 \$	5 093,03 \$
FaithLife Financial	- \$	
Farm Mutual Reinsurance Plan Inc.	- \$	
FCT Insurance Company Ltd.	951,65 \$	951.65 \$
Federal Insurance Company	4,98 \$	4,98 \$
Federated Insurance Company of Canada	342,25 \$	342,25 \$
Federation Insurance Company of Canada	12 240,37 \$	12 240,37 \$
Fenchurch General Insurance Company	120,30 \$	120,30 \$
Fidelity National Title Insurance Company	- \$	
First American Title Insurance Company	209,91 \$	209,91 \$
First Canadian Insurance Corporation	919,85 \$	919,85 \$
First North American Insurance Company	73,01 \$	73,01 \$
Foresters Life Insurance Company	169,32 \$	169.32 \$
Fundy Mutual Insurance Company	1 437,02 \$	1 437,02 \$
Genworth Financial Mortgage Insurance Company Canada	2 411,07 \$	2 411,07 \$

<b>Company name</b>	<b>Assessment</b>	<b>Paid</b>
Gerber Life Insurance Company	12,72 \$	12,72 \$
Giraffe & Friends Life Insurance Company	- \$	
Gore Mutual Insurance Company	26,96 \$	26,96 \$
Great American Insurance Company	697,77 \$	697,77 \$
Green Shield Canada	808,11 \$	808,11 \$
Groupama S.A.	(1,66) \$	
Hartford Fire Insurance Company	12,86 \$	12,86 \$
Hartford Life Insurance Company	- \$	
HDI-Gerling Industrie Versicherung AG	23,23 \$	23,23 \$
Healthcare Insurance Reciprocal of Canada	8,30 \$	8.30 \$
Humania Assurance Inc	12,07 \$	
Industrial Alliance Insurance and Financial Services Inc.	4 999,52 \$	4 999,52 \$
Industrial Alliance Pacific Insurance and Financial Services Inc.	- \$	
Industrial-Alliance Pacific General Insurance Corporation	1 779,26 \$	1 779,26 \$
Intact Insurance Company	38 315,76 \$	38 315,76 \$
International Insurance Company of Hannover Ltd.	260,11 \$	260,11 \$
Jewelers Mutual Insurance Company	28,62 \$	28,62 \$
Knights of Columbus	625,41 \$	625,41 \$
La Capitale assurances et gestion du patrimoine inc.	- \$	
La Capitale General Insurance Inc.	- \$	
La Compagnie d'assurance Belair inc.	- \$	
La Compagnie d'Assurances Jevco	58,49 \$	58,49 \$
La Survivance – Voyage, compagnie d'assurance	21,60 \$	21,60 \$
Lawyers' Professional Indemnity Company	0,83 \$	
Legacy General Insurance Company	145,61 \$	145,61 \$
L'Excellence Compagnie d'assurance-vie	103,52 \$	103,52 \$
Liberty Life Assurance Company of Boston	- \$	
Liberty Mutual Insurance Company	6 783,10 \$	6 783,10 \$
Life Insurance Company of North America	- \$	
Lloyd's Underwriters	14 383,45 \$	14 383,45 \$
London Life Insurance Company	6 359,55 \$	6 359,55 \$
Lumbermen's Underwriting Alliance	- \$	
L'Union Canadienne Compagnie d'Assurances	- \$	
L'Union-Vie, compagnie mutuelle d'assurance	123,70 \$	123,70 \$
L'Unique assurances générales inc.	165,94 \$	\$
Manulife Canada Ltd.	- \$	
Massachusetts Mutual Life Insurance Company	- \$	
MD Life Insurance Company	- \$	
Medavie Inc.	9 286,55 \$	9 286,55 \$
Millennium Insurance Corporation	160,96 \$	160,96 \$
Mitsui Sumitomo Insurance Company Limited	52,27 \$	52,27 \$
Motors Insurance Corporation	22,40 \$	22,40 \$
Munich Reinsurance America, Inc	- \$	
National Liability & Fire Insurance Company	48,12 \$	48,12 \$
New York Life Insurance Company	53,91 \$	53,91 \$
Northbridge Commercial Insurance Corporation	2 315,24 \$	2 315,24 \$

<b>Company name</b>	<b>Assessment</b>	<b>Paid</b>
Northbridge General Insurance Corporation	4 624,67 \$	4 624,67 \$
Northbridge Indemnity Insurance Corporation	283,34 \$	283,34 \$
Northbridge Personal Insurance Corporation	31,53 \$	31,53 \$
Novex Insurance Company	227,75 \$	227,75 \$
Old Republic Insurance Company of Canada	715,19 \$	715,19 \$
Omega General Insurance Company	82,97 \$	82,97 \$
Optimum Société d'Assurance inc.	- \$	
Pafoo Insurance Company	648,40 \$	648,40 \$
Pavonia Life Insurance Company of Michigan	25,77 \$	
Pembridge Insurance Company	6 704,28 \$	6 704,28 \$
Penncorp Life Insurance Company	46,61 \$	46,61 \$
Perth Insurance Company	30,70 \$	30,70 \$
Primerica Life Insurance Company of Canada	161,42 \$	161,42 \$
Primum Insurance Company	5 613,24 \$	5 613,24 \$
Promutuel de L'Estuaire, Société d'ass. Générale	6 062,11 \$	6 062,11 \$
Promutuel des Riverains, société mutuelle d'assurance générale	- \$	
Promutuel Vie Inc.	- \$	
Protective Insurance Company	10,37 \$	
Quebec Assurance Company	- \$	
RBC General Insurance Company	4 040,99 \$	4 040,99 \$
RBC Insurance Company of Canada	1 393,87 \$	1 393,87 \$
RBC Life Insurance Company	2 077,67 \$	2 077,67 \$
Reliable Life Insurance Company	41,45 \$	41,45 \$
Royal & Sun Alliance Insurance Company of Canada	12 737,76 \$	12 737,76 \$
Safety National Casualty Corporation	- \$	
Scotia General Insurance Company	- \$	
Scotia Life Insurance Company	269,44 \$	269,44 \$
Scottish & York Insurance Co. Limited	(4,15) \$	
Security Insurance Company of Hartford	- \$	
Security National Insurance Company	14 892,88 \$	14 892,88 \$
Sentry Insurance a Mutual Company	5,81 \$	5,81 \$
Sompo Japan Insurance Inc.	1,66 \$	1.66 \$
SouthEastern Mutual Insurance Company	2 753,32 \$	2 753,32 \$
SSQ, Insurance Company Inc.	219,87 \$	219,87 \$
SSQ, Société d'Assurance-Vie inc.	703,81 \$	703,81 \$
St. Paul Fire and Marine Insurance Company	483,71 \$	483,71 \$
Standard Life Assurance Limited	- \$	
Stanley Mutual Insurance Company	2 928,79 \$	2 928,79 \$
State Farm Fire and Casualty Company	7 429,84 \$	7 429,84 \$
State Farm International Life Insurance Company Ltd.	300,48 \$	300,48 \$
State Farm Mutual Automobile Insurance Company	12 021,33 \$	12 021,33 \$
Stewart Title Guaranty Company	548,01 \$	548,01 \$
Sun Life Assurance Company of Canada	13 126,61 \$	13 126,61 \$
Sun Life Insurance (Canada) Limited	- \$	
Sunderland Marine Mutual Insurance Company Limited	2 203,65 \$	2 203.65 \$
T.H.E. Insurance Company	0,41 \$	



<b>Company name</b>	<b>Assessment</b>	<b>Paid</b>
TD Direct Insurance Inc.	- \$	
TD General Insurance Company	- \$	
TD Home and Auto Insurance Company	368,80 \$	368,80 \$
TD Life Insurance Company	44,41 \$	44,41 \$
Temple Insurance Company	1 268,59 \$	1 268,59 \$
The American Road Insurance Company	41,90 \$	41,90 \$
The Boiler Inspection and Insurance Company of Canada	350,54 \$	350,54 \$
The Canada Life Assurance Company	9 449,07 \$	9 449,07 \$
The Canada Life Insurance Company of Canada	- \$	
The Dominion of Canada General Insurance Company	8 547,85 \$	8 547,85 \$
The Empire Life Insurance Company	420,45 \$	420,45 \$
The Equitable Life Insurance Company of Canada	336,99 \$	336,99 \$
The Grand Orange Lodge of British America Benefit Fund	6,80 \$	6,80 \$
The Great-West Life Assurance Company	8 636,26 \$	8 636,26 \$
The Guarantee Company of North America	1 539,32 \$	1 539,32 \$
The Independent Order of Foresters	9,65 \$	9,65 \$
The Insurance Company of Prince Edward Island	4 221,03 \$	4 221,03 \$
The Manufacturers Life Insurance Company	17 844,23 \$	17 844,23 \$
The Missisquoi Insurance Company	- \$	
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	6,14 \$	6,14 \$
The Personal Insurance Company	6 571,12 \$	6 571,12 \$
The Portage la Prairie Mutual Insurance Company	5 264,78 \$	5 264,78 \$
The Shipowners' Mutual Protection and Indemnity Association (Luxembourg) [Canada Branch]	7,05 \$	7,05 \$
The Sovereign General Insurance Company	3 647,72 \$	3 647,72 \$
The Standard Life Assurance Company of Canada	895,83 \$	895,83 \$
The Wawanesa Life Insurance Company	387,66 \$	387,66 \$
The Wawanesa Mutual Insurance Company	45 135,37 \$	45 135,37 \$
TIG Insurance Company	- \$	
Tokio Marine & Nichido Fire Insurance Co. Ltd.	12,45 \$	12,45 \$
Traders General Insurance Company	4 459,57 \$	4 459,57 \$
Trafalgar Insurance Company of Canada	594,89 \$	594,89 \$
Trans Global Insurance Company	73,84 \$	
Trans Global Life Insurance Company	19,85 \$	
Transamerica Life Canada	456,85 \$	456,85 \$
Travelers Insurance Company of Canada	647,99 \$	647,99 \$
Trisura Guarantee Insurance Company	781,15 \$	781,15 \$
Triton Insurance Company	566,68 \$	566,68 \$
Unica Insurance Inc.	(1,66) \$	
Unifund Assurance Company	14 894,95 \$	14 894,95 \$
United American Insurance Company	0,77 \$	
United General Insurance Corporation	2 463,34 \$	2 463,34 \$
Utica Mutual Insurance Company	- \$	

<b>Company name</b>	<b>Assessment</b>	<b>Paid</b>
Waterloo Insurance Company	1 009,73 \$	1 009,73 \$
Western Assurance Company	- \$	
Western Financial Insurance Company	214,89 \$	214,89 \$
Western Life Assurance Company	372,74 \$	372,74 \$
Western Surety Company	356,35 \$	356,35 \$
Westport Insurance Corporation	1 639,88 \$	1 639,88 \$
Wynward Insurance Group	884,86 \$	884,86 \$
XL Insurance Company Limited	1 171,93 \$	1 171,93 \$
XL Reinsurance America Inc.	120,30 \$	120,30 \$
Zenith Insurance Company	1 261,54 \$	1 261,54 \$
Zurich Insurance Company Ltd	4 542,12 \$	4 542,12 \$
	<b>495 731,85 \$</b>	<b>495 667,51 \$</b>