



## **CLAIM PROCEDURES**

### **CLAIMS OVERVIEW**

Home Warranty Coverage in British Columbia and Alberta is a government regulated product for the benefit of Owners of new homes. This Warranty product incorporates aspects of both contract surety and pure insurance. Since the actual Warranty policy is issued by Travelers Insurance Company of Canada (“Travelers Canada”) to an Owner, Travelers Canada is ultimately responsible to an Owner for the Home Warranty Policy obligations and will be actively involved in the claims process.

Through this warranty period, Travelers Canada will:

- Administer Owner claims
- Communicate with Owners and the Builders
- Conduct claims adjustments to validate Defects
- Provide interpretation of the legislation specific to each Province
- Participate in the Dispute Resolution Process (if applicable) and as prescribed by the Insurance Act for each province

**In order to ensure that the claim is resolved in a reasonable time frame, as required by the regulators, Travelers Canada will require updates from the Builder. The efficiency of the claims process relies on the Builder and Travelers Canada communicating through the process. As long as Travelers Canada is aware that progress is being made on the claim items, we will be able to avoid stepping into the claims process directly.**

### **THE CLAIMS PROCESS**

#### **Phone Inquiry**

If an Owner contacts Travelers Canada regarding a possible Defect, Travelers Canada will determine the nature of the complaint and verify that the new home / condominium project is registered with Travelers Canada. If the new home / condominium project is enrolled and a Warranty Commencement Date Certificate is received, the Owner will be requested to provide Travelers Canada and the Builder with written notice of claim.

If Travelers Canada has not yet received the Warranty Commencement Date Certificate and in order to establish the Warranty Commencement Date for the new home:

- The Builder will be requested to promptly provide the completed and signed certificate, or
- The Owner will be requested to provide support documentation.

Please note Travelers Canada requires all claims in writing. As defined in the Home Warranty Certificate and the Information Sheet attached to it when delivered, a phone call is not considered a Notice of Claim and in order for a homeowner or Strata/Condominium Corporation to preserve their rights under the warranty coverage, Travelers Canada must receive a written notice of claim prior to the applicable coverage expiry dates listed on the policy. Please refer to section below for further information.

#### **Written Notice of Claim**

Travelers Canada will accept a written notice of claim in many different forms (fax, email, letter) as long as the information contained in the Notice of Claim explains the claim items in detail. In order to help standardize the claim intake process, Travelers Canada has a generic Notice of Claim form available to Owners on the website at [www.travelerscanada.ca/home](http://www.travelerscanada.ca/home), found under the “Buyers/Homeowner” section and also in the “We’re here to help” section in the middle of the page.



Upon receipt of a written claim, the Travelers Canada will qualify the pertinent information such as the Warranty Commencement Date, Owner information and the Warranty expiry dates. Travelers Canada will also ensure that the Owner has provided:

- a) Sufficient detail as possible on the exact nature and location of each claim item and
- b) Copies of the relevant documentation and correspondence

Upon receipt of the Notice of Claim, Travelers Canada will contact the Owner to confirm receipt of the claim. A copy of the claim will be sent out to the Builder within 24 hours. A Claims Professional will be assigned to the claim and a written response assessing coverage will be delivered within 10 business days.

Travelers Canada will initially engage the Builder to investigate the Owner's concerns. If the Owner is not satisfied with the Builder's response to their claim, the Owner can request a formal claims inspection by a Travelers Canada representative at any time through the process. All defects listed on the Notice of Claim will be itemized on a Record of Claim form. This document will be the guide for Travelers Canada and the Owner to ensure that all items are addressed.

### Record of Claim Form

The Record of Claim form is intended to assist Travelers Canada, the Builder and the Owner with documenting the claims process. The form is intended to list all items submitted to Travelers Canada, define the validity of every item and then document the successful conclusion of every repair undertaken by the Builder or Travelers Canada.

Owner's Responsibilities and Expectations:

- The Owner will be required to submit a detailed list of their claims items by location and adequate description – with supporting documents or pictures if they feel it necessary to properly describe the item;
- Within 10 business days, Travelers Canada will give the Owner an assessment of coverage for every item submitted. The Owner will be sent the updated Record of Claim for their home that will outline all claims items submitted to Travelers Canada.

The Owner can expect the following assessments in the "Travelers Position" on the Record of Claim:

- **Investigation required** – Travelers Canada will require further details, documentations and/or photos in support of a Builders response to the claim item. The Owner may request that Travelers Canada investigate the item(s) for this category.
- **Warrantable Item, Action required** – This item is deemed to be within coverage by Travelers Canada. This position may be derived from the Builder's investigation or by a Travelers Canada investigation. Immediate response is required.
- **Insufficient Notice of Claim** - Travelers Canada will require the Owner to provide further details, documentations and/or photos in support of the claim item submitted. Once this has been received, Travelers Canada will determine if the item(s) is warrantable, not warrantable or if further investigation is required.
- **Concern related to Common Property** – this response will require the Owner to forward their claim item to the Property Manager as it the responsibility of the Strata /Condo Corporation to oversee all common area defects.
- **Not Warrantable, applicable warranty expired**
- **Not Warrantable, Exclusion applies**



- **Not Warrantable, no Action required**
- **Outside Scope of Warranty policy**
- **Concern relating to unit, Owner required to file claim** – it is the responsibility of the Owner of a unit to submit a claim for any item located within their unit. This will be used when a Strata Corporation submits a claim for an individual unit Owner.

- At any time, the Owner can use this form to request Travelers Canada to inspect the claim item(s) that have been labeled as “Investigation Required” or “Warrantable Item, Action required”.

**Please Note:** For all other responses, the Owner will be required to request Mediation (see below) if they are not satisfied with the position taken by Travelers Canada and wish to elevate their claim.

- At the end of the process, the Owner will be asked to confirm that the warrantable items were resolved as defined on the form.

**TRAVELERS J**

Number: [Redacted]  
 Name: [Redacted]  
 Address: [Redacted]  
 Warranty #: [Redacted]  
 Type: [Redacted]  
 Builder: [Redacted]  
 by: [Redacted]  
 update: [Redacted]

### Record of Claim

Warranty Expiry Dates:  
 1st year: 15 Months [Redacted]  
 2nd year: [Redacted]  
 5 year: [Redacted]  
 10 year: [Redacted]

Double click on cells in Date Submitted to Travelers (Columns B) & Date Claim Item Resolved (Column H) to access the Date Picker.

Please fill in the respective columns.

- Owner/Claimant  
 - Travelers/Builder  
 - Travelers Claim Handler

Owner/Claimant

Travelers/Builder

Travelers Claim Handler

Item #	Date Submitted	Location Room/Area	Description of Claim	Reference Doc	Investigation Results	Travelers Position	Date Claim Item

Travelers Canada will utilize the Record of Claim form to state their position for every claim item to the Owner. This should help eliminate items that are either outside of coverage or submitted outside of the applicable coverage area.

**Builders’ Responsibilities and Expectations**

The Builder will utilize the Record of Claim form to provide their “Investigation Results” on a claim item – it is an open text field and a detailed answer is expected. The anticipated response will include details of the Builder’s position on the claim and the scope of repairs that have been completed. It is unacceptable to simply put “done” as this does not entitle Travelers Canada to rely on this response to consider the item resolved. The Builder’s response can identify that the item has been repaired (and when); repairs are being scheduled; or that the item is not warrantable for similar reasons to what was stated above.

Further support of a claim item, whether repaired or denied by the Builder, should include photos.

Travelers Canada Claims Professional will be required to concur with the Builder’s position or determine what action is required to close each item.



## **Claims Adjustment Process**

If an Owner chooses Travelers Canada's Claims Adjustment Process, a Claims Professional will attend the new home and complete a claims evaluation. The Builder is invited to attend the claim inspection so their comments and repair intentions can be provided. Following the claims evaluation, written direction will be issued to both the Owner and the Builder outlining the claim decisions. The Builder has a set time period in which to complete the necessary repairs. Depending on the situation, consideration is given to the work required, weather conditions, availability of materials, and other factors that may affect the work to be completed.

Travelers Canada is required by legislation in each Province to ensure the necessary repairs are completed. It is also the responsibility of Travelers Canada, with the support of the Builder, to document the repair, establish a date that each item was completed and confirm with the Owner that the repairs have been completed. It is the expectation of the Owner and the government regulators that this process will be completed in a timely manner with 30 days as a guideline for these expectations.

Please refer to the Home Warranty Insurance Certificate for further information on this process.

## **REPAIRS**

Since the legislation allows Travelers Canada to involve the Builder in the investigation and repair process for all warrantable Defects, there needs to be clear lines of communication in order to avoid Travelers Canada stepping into the repair process. If the Builder fails to complete the warrantable Defect repairs in a timely fashion or as required by Travelers Canada (through the Claims Adjustment Process or mediation), Travelers Canada will have no alternative but to proceed to a third party repair contractor. Upon Travelers Canada determining what repairs remain at the New Home, a repair contract will be issued to a repair contractor.

The Builder always has the ability to contact Travelers Canada for information or feedback on a repair specification.

## **Dispute Resolution**

As per the Home Warranty Certificate, if the claim matter cannot be resolved through the course of the initial contact, the Owner has the following options:

- 1) Travelers Canada's Claims Adjustment Process
- 2) Request a Senior Management Review of the Claim File
- 3) Submit a complaint to our Ombudsman office
- 4) For Alberta only - Dispute Resolution Process is prescribed by Section 519 of the Insurance Act Insurance Act
- 5) Mediation – is defined in the application Act and Regulation in BC– is available to all home warranty policyholders in BC and SK.

Please refer to the Home Warranty Insurance Certificate or contact your Claims Professional for further information on this process.

**Who can a Builder contact if they need to discuss any concerns they may have with the claim or the process:**

**Contact a Manager** – The Builder, or an Owner, have the ability to contact the Regional Managers at any time if they wish to discuss their claim further:

**Sheelagh Neuwirth**  
Manager, Claims  
[sneuwirt@travelers.com](mailto:sneuwirt@travelers.com)  
604-696-8514

**Kerry Nagy**  
AVP – Underwriting  
[kerry.nagy@travelers.com](mailto:kerry.nagy@travelers.com)  
604-696-8550

**Jan Rasilainen**  
AVP – Technical Services  
[jan.rasilainen@travelers.com](mailto:jan.rasilainen@travelers.com)  
604-696-8549

**Contact Travelers Ombudsman** - If you have any questions or concerns regarding our Complaints Handling Protocol or if you require any further information on how to make a complaint, please feel free to contact our Complaints Liaison Officer / Ombudsman (“CLO”).

Telephone: 1.800.268.8447 ext 72510 or 416.947.2510  
Fax: 416.366.6229  
Email: [ombudsman@travelers.com](mailto:ombudsman@travelers.com)  
Mail: Complaints Liaison Officer/Ombudsman  
Travelers Canada  
165 University Avenue  
Toronto, Ontario M5H 3B9