

Legal Expense Claims Examples

1. Core Legal Expense Coverage Example

Andy volunteers for an organization that provides in-home assistance to the elderly. A service user reported to the police that following Andy's visit, \$500 in cash had gone missing from a senior's home. The police contacted Andy and advised he was being investigated for theft following the complaint. He was asked to come to the station to be interviewed. Andy immediately notified the organization and they agreed that he could access their Legal Expense policy.

After calling the Legal Advice Helpline, a criminal lawyer was appointed to represent Andy.

2. Core Legal Expense Coverage Example

An Insured was charged with a violation of the Ontario Health and Safety Act for failing to notify an inspector of a workplace injury. Unsure as to what to do, the Insured called the Legal Advice Helpline to understand their legal obligations and options. A lawyer was assigned to represent them and help them through the process. The lawyer and the Insured worked together to plead down the charge in exchange for paying a fine.

The Insured utilized their Legal Expense coverage to cover their legal fees.

3. Contract Disputes and Debt Recovery Example: Optional Coverage

The Insured entered into a contract for kitchen renovations with a third party. After completion of the installation, several deficiencies were noted. The Insured called the Legal Advice Helpline to see how they could solve this issue. Counsel was retained and launched a lawsuit against the contractor. At trial, a judgment in favour of the Insured was obtained and a costs award made against the contractor.

The Insured saved \$9,000 in legal fees by using the Legal Expense coverage.

4. Statutory Licence Protection Example: Optional Coverage

A suspension was issued on the Insured's licence. Although a written notice of reason was provided, the opportunity to appeal was denied. The Insured called the Legal Advice Helpline in order to understand what else they could do to resolve the issue. A lawyer was appointed to appeal the decision.

The Insured's Legal Expense policy meant that they saved \$5,000 in legal expenses, and had fewer lost revenue days with the timely reinstatement of their licence.

5. Property Protection Example: Optional Coverage

The neighbouring business built a fence that was 1.5 feet onto the Insured's property. The neighbour denied this allegation and refused to move it. The Insured called the Legal Advice Helpline, and a lawyer was appointed to represent them. After a review of the plans, deeds, and the opinion of a surveyor, it was clear the fence was built on the Insured's land.

The neighbour was required to move it back to the property line at their expense. The Insured saved \$4,000 in legal fees.

6. Tax Protection Example: Optional Coverage

The CRA advised the Insured of a multi-year tax audit, claiming numerous deductions of \$23,000 were not valid. Knowing better than to handle this individually, the Insured called the Legal Advice Helpline and a tax lawyer was assigned. The tax lawyer proved the deductions were valid through documentation provided, and the assessment was reissued with no taxes owing.

The Insured saved \$10,000 in legal fees, plus the \$23,000 in potential tax owed.



Claims examples have been provided by DAS Canada.

This handout is intended to provide general information only. Please refer to the policy document for complete details. The policy terms, conditions and limitations shall apply in all instances.

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