



CLAIMS EXAMPLES

Substandard Sub-Contractor

The Insured wholesales hydraulic fluid and engine oil and has arranged for a sub-contractor to pick up a large container of engine oil and to deliver it to a customer. The incorrect product was picked up and delivered to the customer (sub-contractor failed to read the consignment note correctly) who subsequently installed into their machinery causing damage. The sub-contractor refuses to accept responsibility and the customer is launching a lawsuit against the Insured. The Insured is provided with legal representation to defend the lawsuit and to counterclaim against the subcontractor.

Tenant Problems

The Insured leased commercial premises to someone who is now disturbing the other tenants with excessive noise, leaving the main lobby door open at night, and leaving the shared washroom in an unusable state. The Insured is provided with legal representation to take the tenant to court to evict them for breach of the lease.

Faulty Goods

- The Insured took delivery of goods from a supplier but the goods were faulty. The Insured refuses to pay the invoice and is taken to court by the supplier. The policy provides legal representation to defend the action.
- The Insured delivers goods to a customer but the customer refuses to pay claiming the goods are faulty. The policy provides legal representation to take the customer to court to force them to honour the contract.

Unfair Dismissal

The Insured employed a PA whose performance and attendance has become unsatisfactory due in some part to personal problems. After discussions and several letters trying to resolve the matter the Insured dismisses the secretary and she is now suing for unfair dismissal. The Insured is provided with legal representation to defend the action.

Breach of Contract

The landlord of the Insured's commercial premises sought to impose some new regulations on all tenants which would restrict the use of the building and parking facility. When the Insured refused to comply with these unilateral changes the Landlord instructed lawyers to threaten a lawsuit. A lawyer was appointed on behalf of the Insured who averted such action by arguing successfully that such a variation to the lease was unlawful.



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Legal Advice

- After the Insured had hired a company to clean the exterior of the office building, some “white specks” appeared on the brickwork that appeared to be salt stains. The Insured emailed the Legal Advisory Service to ask how to proceed. The lawyer provided direction to the Insured on how to negotiate with the cleaning company to rectify the damage, including withholding the balance of the invoice until the Insured was satisfied.
- The Insured has serious problems with chronic absenteeism by an employee and seeks advice. The lawyer provides direction on the appropriate warnings that are required regarding the unacceptable attendance as well as an opportunity for corrective behaviour. Advice is provided on the liability of the employer if a termination is made without due process.

Pursuit of Personal Injury Claims

A member of a sports club is injured when making a club related visit. The liability insurer for the homeowner disputes liability. A lawyer is appointed to negotiate a fair settlement on behalf of the member.

Unfair Dismissal / Constructive Dismissal

An employee voluntarily resigned and then several months later filed a Statement of Claim alleging constructive dismissal based on workplace harassment and claiming damages. The insured had no knowledge that there had been any issues at work at the time the employee resigned. The Insured is provided with legal representation to defend the matter.

Criminal Charges

A Strata Corporation is investigated by health and safety authorities concerning a number of perceived breaches of the regulations in relation to the common areas used by all the unit owners. Legal assistance is provided to assist in refuting the breaches.

Strata Council and Owner dispute

A unit owner challenges the application of the by-laws, refusing to comply with certain conditions and withholding management fees. Legal assistance is required to enforce the obligations against the owner.