

What others say

Is 'no fault' insurance all it's cracked up to be

More than 17 years ago, the Ontario government changed all auto insurance policies to include drastically expanded "no fault" benefits. This means that if you are injured in a car accident, your own insurance company will pay to replace some of your lost income and pay for some of your medical and rehabilitation costs, and other expenses. This is true even if you were the person who caused the car accident.

If you believe that the accident was not your fault, you may want to sue the other driver for the losses that aren't covered under the "no fault" rules. People who want to sue are usually people who have been badly hurt, who will take a long time – if ever – to recover from their injuries, or may never be able to work again.

Before you can recover any money for your pain and suffering, you must first prove that your injuries are severe enough, and that you will never get better. In other words, your injuries must reach a certain "threshold" before you can recover anything for your pain and suffering from the person who caused your injury.

This "threshold" has been part of no fault insurance since it was introduced to Ontario almost two decades ago. But in 2003 this threshold was changed so that fewer injured people are allowed to recover their actual losses caused by a wrongdoer.

For example, if you are off work for two years before you are finally able to return, you cannot recover anything for your pain and suffering. If you are able to get back to work but cannot continue with your regular exercise or sports activities, and cannot play with your children or even lift them up to give them a hug, you cannot recover anything for your pain and suffering. Is this fair?

To add insult to injury, in many cases even if you do get over the threshold, the insurance companies get to keep part of your money through a deductible. Deductibles were also increased in 2003, so that injured people and their families get even less compensation. In most cases, the insurance company now gets to keep the first \$30,000 of your money for pain and suffering! If one of your close family members is killed by another car, in most cases the insurance company gets to keep \$15,000 of your money. This money goes right back to the insurance company of that person who caused your injuries or the death of your family member. Is this fair?

To make matters worse, you may not recover all of your medical and rehabilitation expenses even when someone else caused your injuries.

As you can see, this is not about multi-million dollar settlements, since these rules don't have any impact on those larger cases. It's about average people who've been hurt being able to recover reasonable compensation. And it's about putting those people back in the position they were in- or as close to that as possible – before some stranger came along and caused all of their injuries and losses. This has been a principle of our legal system for centuries.

These and other harsh changes came about in 2003 because auto insurance companies raised premiums and threatened to raise them further. The politicians accepted the insurance companies proposals, and as a result they took away many rights from innocent accident victims. Unfortunately Ontarians often do not know that their rights have been taken away until they become accident victims. When that happens, they are in for a rude awakening.

Since 2003, insurance companies have earned record profits on their property and casualty business in Canada which includes auto insurance: \$2.5 billion in 2003, \$4.7 billion in 2004, \$4.65 billion in 2005 and \$5.85 billion in 2006. The 2003 figure is important, because this was earned before the 2003 changes were brought in. This proves that insurance companies made a profit under the old rule, and could still do so without raising premiums.

The insurance companies said they needed to compensate fewer innocent victims and pay less, or else they would raise premiums even higher. The politicians gave them what they wanted, and the companies made huge, record profits. Auto insurance in Ontario needs to be changed. Innocent accident victims should get the access to the justice they deserve. It's only fair.



BIG CLEAN-UP: Massive snow moving was the order of the day as business resumed on the day after New Year's. Here, Sid Sidhu, at the controls of the front end loader, cleans up at The New Tanner office. - submitted photo

Snow brings out best in people

For all those people who complained about the heat in July, I hope you're happy now. I kept telling people who complained to me then, "you don't have to shovel sweat..."

I'm not one of those people who goes on and on complaining about the weather. We live in a country that has four unique seasons and quite frankly, if you don't like it, well then, move.

Spring is great, well, except for the mud which I could live without especially having a dog that thoroughly enjoys getting as dirty as doggily possible. Spring means new beginnings for flowers and the buds on the trees and, of course, new litters of all of God's creatures from lambs to kittens.

I love the heat of the summer. I love sweating my duff off as I cut the grass or muck about in the garden. Nothing beats a hard day's work in the garden then enjoying time around an evening barbeque on the deck as you ward off mosquitoes.

Fall is fabulous. The changing colour of the leaves, the crisp air in the morning, the dew on the lawn and of course all the local fall fairs. At our new home, I certainly could live without all the leaves that have to be raked or the crab apples from the dreaded crab apple tree the Dude



By
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insists we do not cut down because it looks nice...all crab apple trees look nice when they are in bloom. When the apples start falling is when one wonders who on earth decided that a crab apple tree would be a good thing to continue to pollinate. It should have been called a crap apple tree.

I like winter too. A lot of people don't. A lot of people complain about the snow and the ice. I'm not too fond of ice either, however, how can you not like the snow? On New Years day we all awoke to a fresh blanket of white covering our town. It was beautiful. This is what winter is about. Before I knew it, the Dude was heading out to start his snow plowing contracts and the dog was pacing at the door eager to play in the piles of snow.

The kids next door were having a snow ball fight complete with snow fortresses. I watched them for a while as you don't usually see kids out just having good old fashioned fun in the snow too much anymore. Snowmobiles were racing up the street, which the dog is not too impressed with. Even sooner

there were at least three neighbours out with their snow blowers.

We live in a pretty friendly area when it comes to the snow. I headed out to find the Dude and bring him a hot chocolate in between his piling of mounds of snow. Upon my return, even though I shovelled our driveway, a neighbour had snow-blown our entire driveway out, and the sidewalk from one street right up to the last house.

When I think about the weather, we of course all complain about the "weatherman" and how they never seem to get it right. However, winter is a very special season. Snow, although many grumble about it, somehow brings out the hidden good in people.

Take a moment to think about how neighbours help one another with snow shoveling. Or, if your car gets stuck and some complete stranger stops and help get you on your way again. How about when you drive by that guy snow-blowing his driveway and just as you think the snow is going to get blown all over your car, he stops and waits until you drive by.

I think it's going to be a nasty winter as far as the snow goes. However, remember that line about "pay it forward?" Why not give a neighbour a hand shovelling?

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