

# ALBERTA'S THREE-STEP PREMIUM DISPUTE RESOLUTION PROCESS



General Insurance  
OmbudService



Service de conciliation en  
assurance de dommages

## THE GENERAL INSURANCE OMBUDSERVICE

GIO assists in the resolution of conflicts between consumers and their insurance companies. When disputes arise, GIO's neutral and professional Consumer Service Officers help insurance companies and their customers work toward a solution that is in the best interest of both parties in a fair, independent and impartial environment.

In October 2004, the Alberta Government introduced a new three-step dispute resolution process for consumers who may have concerns with their automobile insurance premiums for basic coverage, or who allege unfair contractual practices with their insurer.

Sections of the Alberta Insurance Act and its regulations set out what is popularly known as the "All Comers Rule".

The All Comers Rule applies to Third Party Liability and Accident Benefits insurance for Private Passenger Vehicles. In part it states that an insurer cannot:

- Refuse to process an application for automobile insurance;
- Refuse to issue or renew a contract;
- Terminate or cancel a contract;
- Refuse to provide or continue any coverage or endorsement.

There are exceptions to this rule. An insurer can refuse to insure for:

- Non-Payment of premium or any portion of a premium;
- The failure of the insured or applicant to inform the insurer or to keep the insurer informed (where requested by the insurer) of the identity of the principal operator of a vehicle;
- The failure of an insured or applicant to complete an application form;
- An insured or applicant providing false information;
- An insured or applicant misrepresenting anything to the insurer;
- Failure to submit required information.

And for vehicles 12 or more years old:

- Refusal to provide a completed, approved vehicle inspection report;
- Refusal to repair a component of the vehicle that has been identified as being unsafe, within 30 days;
- Where the applicant does not hold a valid operator's licence to operate a private passenger vehicle in Canada, unless there is another operator of the vehicle.

The three step process for resolving a dispute is as follows:

1. Talk to your broker or agent first. If the issue cannot be resolved there, you should contact the Complaint Liaison Officer (Ombudsman) for your Insurance Company. If this person cannot resolve your concerns to your satisfaction, then request a letter from the Insurance Company stating their final position;
2. If you are not satisfied with the company's final position, contact the General Insurance OmbudService (GIO). Our Consumer Service Officer will help you resolve your complaint, either by advising you directly, dealing with the company's Complaint Liaison Officer, or by assigning an independent mediator who will set up a mediation session between you and your insurance company. If a solution cannot be found during the mediation, the mediator will issue a report recording this;
3. You then may apply to the Automobile Insurance Dispute Resolution Committee (AIDRC). The AIDRC will review the matter and either 1) attempt to resolve the dispute, 2) take no further action, or 3) refer the issue to an arbitrator. The arbitrator's decision will be binding.

## WHAT DOES IT COST?

There are no costs to you to use the three-step premium dispute resolution process and services. However, if you choose to proceed to arbitration, the Arbitrator has the discretion to assess all, or a portion, of the costs of the arbitration if a party's claim is obviously without merit, or a party has acted in an inappropriate manner.



**TOLL FREE 1.877.225.0446**

FOR MORE INFORMATION PLEASE VISIT THE  
GENERAL INSURANCE OMBUDSERVICE WEBSITE AT:

**WWW.GIOCANADA.ORG**

INFO@GIOCANADA.ORG