



CAMVAP
PAVAC

2021 Annual Report

Canadian Motor Vehicle Arbitration Plan



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MEMBER ORGANIZATIONS

Canadian Automobile Dealers Association (CADA)
Canadian Vehicle Manufacturers' Association (CVMA)
Consumers' Association of Canada (CAC)
Global Automakers of Canada (GAC)

The Governments of:

British Columbia
Alberta
Saskatchewan
Manitoba
Ontario
Quebec
New Brunswick

Nova Scotia
Prince Edward Island
Newfoundland and Labrador
Yukon Territory
Northwest Territories
Nunavut

BOARD OF DIRECTORS

2021

David Adams (Chair) (GAC)
Rawad Al Rabbat (GAC)
Greg Basham (partial year) (CAC)
Gary Frost (G)
Ed Hendricks (partial year) (CAC)
Kelly Houston-Routley (G)
Denny Huyghebaert (partial year) (G)
Brian Kingston (CVMA)
Adam Peters (partial year) (G)
Tim Ryan (CADA)
Peggy Stokes (CVMA)
Darren Thomas (partial year) (G)
Trevor Todd (CAC)

STAFF

Stephen Moody (General Manager)
Silva Chan (Program Coordinator)
Lillian Lian (Bookkeeper/Administrative Assistant)



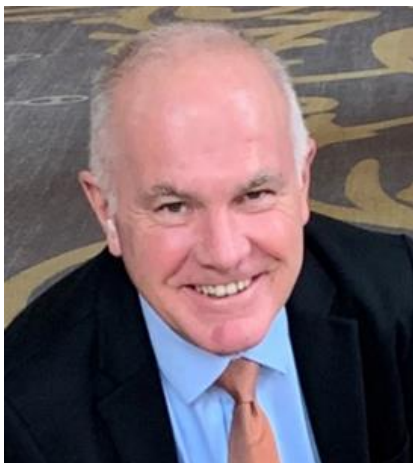
PARTICIPATING MANUFACTURERS

The following vehicle manufacturers representing more than 85% of annual vehicle sales endorse the Canadian Motor Vehicle Arbitration Program (CAMVAP). For 27 years, CAMVAP has been an effective forum for manufacturers and consumers to resolve disputes related to consumer allegations of manufacturer defects or the implementation of the manufacturer's new vehicle warranty.

Ford Motor Company of Canada, Limited
General Motors of Canada Company
Honda Canada Inc.
Hyundai Auto Canada Corp.
Jaguar Land Rover Canada ULC
KIA Canada Inc.
Mazda Canada Inc.

Mercedes-Benz Canada Inc.
Nissan Canada Inc.
Porsche Cars Canada, Ltd.
Subaru Canada Inc.
Toyota Canada Inc.
Volkswagen Group Canada Inc.
Volvo Car Canada Limited

LETTER FROM THE CHAIR



On behalf of the Board of Directors of the Canadian Motor Vehicle Arbitration Plan (CAMVAP), I am pleased to present the Annual Report for the organization for 2021. For more than a quarter century, CAMVAP has demonstrated that a national consumer protection program with membership from all provinces and territories, automobile manufacturers and dealers, and the Consumers' Association of Canada can provide a fast, free and friendly - and I might add effective - way to resolve specific consumer problems with their motor vehicles.

This report provides an overview of how the Canadian Motor Vehicle Arbitration Plan is structured, its governance, and the annual statistics related to the number of cases that moved through the program in 2021. In that regard, the number of cases handled by CAMVAP increased by about 36% in 2021 compared to 2020, with 212 cases resolved last year.

As with many industries CAMVAP continued operations within the COVID-19 protocols for the program and was able to handle more cases as the provincial governments relaxed their rules, particularly for holding hearings. Like many industries, COVID-19 also accelerated the transition to doing business, differently, successfully handling several cases using web and video technology.

Many manufacturers changed how they handled claims from in person to web video and sometimes teleconferences where both the manufacturer and the consumer agreed to do so. We expect this change to continue as it facilitated the efficient handling of cases and reduced costs for the program and for the manufacturers too. Consumers for the most part welcomed the web hearings as they minimized delay for in person hearings. That said, with remote hearings there has been greater reliance on third-party technical inspections of vehicles, as the vehicles cannot be assessed by the arbitrator in the same way they could at a normal in-person hearing.

Additionally, all Board and Committee meetings were held virtually this year reducing program overhead associated with in-person meetings. While helpful in reducing costs, collaboration and Board members' relationships suffered somewhat as a result of completely remote meetings.

Program innovations continued throughout 2021 with the introduction of a Pre-Decision Survey as a new quality control measure. Through this measure, consumers and manufacturers are now being surveyed right after the hearing and before the award is issued to ensure that arbitrators who provide their services to CAMVAP perform at a consistent and high-quality level.

(continued)



LETTER FROM THE CHAIR

Several amendments to the Agreement for Arbitration were approved by the Board of Directors in late 2021 and will see their full implementation in 2022. A clear benefit of a voluntary and collaborative program such as CAMVAP, is the ability to augment, adjust and improve its program on an ongoing and iterative basis through the work of all parties.

I thank the Board of Directors, all the program's committee members and the arbitrators and Provincial Administrators for their service to the program.

Finally, this national program operates with a dedicated head office staff of three individuals, and CAMVAP's ongoing success largely comes down to the collective efforts of Steve Moody, Silva Chan and Lillian Lian. Thank you staff, for your ongoing efforts.

A handwritten signature in black ink, appearing to read "D Adams".

Dave Adams
Chair of the CAMVAP Board of Directors



CANADIAN MOTOR VEHICLE ARBITRATION PLAN

The Canadian Motor Vehicle Arbitration Plan publishes annual reports so that the public and participants in the CAMVAP process are made aware of the results achieved by the parties to CAMVAP arbitrations. Read the results carefully as they clearly show that the program works.

CAMVAP is supported and funded by the automobile manufacturers. The 13 Provincial and Territorial Government representatives participate in the program's governance along with the Consumers' Association of Canada that represents consumer interests at the Board of Directors level. Canada's authorized new vehicle dealers are also represented on the program's Board of Directors.

CAMVAP is a neutral dispute resolution program. The program's job is to put consumers and manufacturers together with an arbitrator who will hear the case and consider both the consumer and the manufacturer's arguments in order to make a final decision.

The program operations are the same in every province and territory. No matter where the consumer lives in Canada they will receive the same high quality level of service provided by our Provincial Administrators with the Agreement for Arbitration being consistently applied across the country.

CAMVAP considers both the consumer and the manufacturer to be its clients with our job being to provide the best service we can. Throughout this report you will see that the program achieves that objective.

CANADIAN MOTOR VEHICLE ARBITRATION PLAN

CONSUMER ACCESS TO THE PROGRAM

The Canadian Motor Vehicle Arbitration Plan is a national dispute resolution program through which disputes between consumers and vehicle manufacturers - related to allegations of manufacturing defects or how the manufacturer is implementing the new vehicle warranty - can be resolved through binding arbitration.

Consumers can access CAMVAP through the program's website at www.camvap.ca or by contacting the Provincial Administrator for their province or territory using the program's toll-free number 1-800-207-0685.

Consumers are encouraged to work with the dealers and the manufacturers of their vehicles. Doing so is, in fact, a requirement of the program. The CAMVAP website provides information for consumers about how the program works and how to access the program when issues cannot be resolved.

CAMVAP AWARD STATISTICS

Consumers can view CAMVAP's award statistics on the CAMVAP website. These statistics are compiled on an annual basis and show the cases handled through CAMVAP by make, model year, vehicle model along with the type of complaint and the remedy ordered by the arbitrator.

RELEVANT PROVINCIAL AND TERRITORIAL LEGISLATION

The CAMVAP Agreement for Arbitration, together with the Arbitration Act and the applicable consumer protection legislation in the Province or Territory where the Arbitration is held, governs CAMVAP cases. In Québec, the Agreement for Arbitration along with the Civil Code governs arbitrations.



CANADIAN MOTOR VEHICLE ARBITRATION PLAN

PROGRAM GOVERNANCE

CAMVAP is a federally incorporated not-for-profit corporation. Its operations are the product of long-term contractual agreements between the associations representing the vehicle manufacturers, the Consumers' Association of Canada, the new vehicle dealers and the thirteen provincial and territorial governments. The program is fully paid for by the manufacturer members of the Canadian Vehicle Manufacturers' Association and the Global Automakers of Canada. Consumers are represented by the Consumers' Association of Canada and the dealers are represented through the Canadian Automobile Dealers Association.

CAMVAP's success results from the program addressing the needs of both consumers and vehicle manufacturers when all other means of dispute resolution fail. The program has retained the commitment of its stakeholders for more than twenty years. The fact that the program is a voluntary initiative means that it continually evolves over time to more effectively address the needs of its collective stakeholders.

The CAMVAP Board of Directors provides overall governance and direction for the program and monitors its ongoing effectiveness. Program operations are managed through the General Manager and with two staff from a Toronto head office.

The CAMVAP team includes Provincial Administrators in six locations across the country. These administrators, who, while part of the CAMVAP team, are independent organizations that provide contract services to CAMVAP. They work to ensure that the consumer and the manufacturer are treated fairly and equitably throughout the arbitration of each and every case. The arbitrators used by CAMVAP are also independent from the program and provide their services on an as needed basis.

CAMVAP roster arbitrators are located in all regions of Canada and are assigned cases within their region and occasionally outside their region as program needs require.



CANADIAN MOTOR VEHICLE ARBITRATION PLAN

CAMVAP ARBITRATORS

The arbitrators who provide services to CAMVAP come from many backgrounds and professions and are completely independent from the program. The manufacturers are not involved in their appointment to the CAMVAP roster, their training, or their selection to hear cases. The arbitrators are paid a flat fee plus expenses for each case that they conduct.

When a case is set to go to arbitration, the Provincial Administrator selects the next arbitrator on the roster who is available to hold a hearing in the consumer's community. A brief resume for the arbitrator is sent to the consumer and the manufacturer.

PROVINCIAL ADMINISTRATORS

The public face of CAMVAP is the Provincial Administrators who deliver the program across Canada. The Provincial Administrators are responsible for receiving and responding to inquiries, processing claim forms and applications for arbitration, scheduling hearings and technical inspections and communicating the results of hearings to the parties. All consumer inquiries to CAMVAP are handled by the Provincial Administrators. The Provincial Administrators are paid a fee to provide service to CAMVAP and an additional fee for each case handled.

CAMVAP ANNUAL REPORTS

Previous annual reports can be found, in both official languages, on the CAMVAP website at www.camvap.ca or www.pavac.ca.



2021 PROGRAM RESULTS

2021 CASES HANDLED

The number of arbitrated cases handled in 2021 were up by 57 cases or 45.97% above 2020 results. Conciliated cases were down by 2 cases or 8.33% below 2020 results. Consent awards were up by 1 case or 12.50% above 2020 results. When the arbitrated, conciliated, and consent cases are combined, the 2021 total of 212 when compared to the 156 cases handled in 2020 is up 35.90%.

In addition to these cases, 365 consumers initially contacted CAMVAP and started the process and then withdrew from the process before the arbitration was set up. 19 cases were found by the arbitrator to be ineligible.

Province/Territory	Number of Arbitrated Cases	Number of Conciliated Cases	Number of Consent Cases	Total
British Columbia	34	3	1	38
Alberta	18	4	0	22
Saskatchewan	4	1	0	5
Manitoba	5	1	0	6
Ontario	83	11	6	100
Québec	21	2	2	25
New Brunswick	3	0	0	3
Nova Scotia	6	0	0	6
Prince Edward Island	0	0	0	0
Newfoundland & Labrador	6	0	0	6
Northwest Territories	1	0	0	1
Nunavut	0	0	0	0
Yukon Territory	0	0	0	0
TOTALS	181	22	9	212

Arbitrated cases are those that proceed to a hearing at which the arbitrator makes an award based on the evidence presented by the parties.

Conciliated cases are those when the consumer and the manufacturer agree to resolve the issues without the need for a hearing.

Consent cases are those when the consumer and manufacturer agree on a settlement at the arbitration hearing and the arbitrator records the agreement in the "award".

2021 INQUIRY PROGRESSION – GETTING TO CAMVAP AND THROUGH THE PROCESS

The CAMVAP Provincial Administrators handled 1,526 new phone inquiries in 2021 which is 14.27% below the 2020 result of 1,780. In addition to phone inquiries, the CAMVAP Provincial Administrators handled 193 new inquiries submitted by consumers through the CAMVAP website. Qualification Worksheets, which are an internal form that is used to qualify for a CAMVAP case, were down at 815 which is a decrease of 33 or 3.89% below the 2020 results. Of the 442 claim forms sent to program eligible consumers, 282 were returned to CAMVAP by the consumer. This is up 9.30% from 2020 and represents a return rate of 64% which is slightly higher than in 2020.



1,719

Phone & Web Inquiries



815

Worksheets Processed



442

Claim Forms Requested



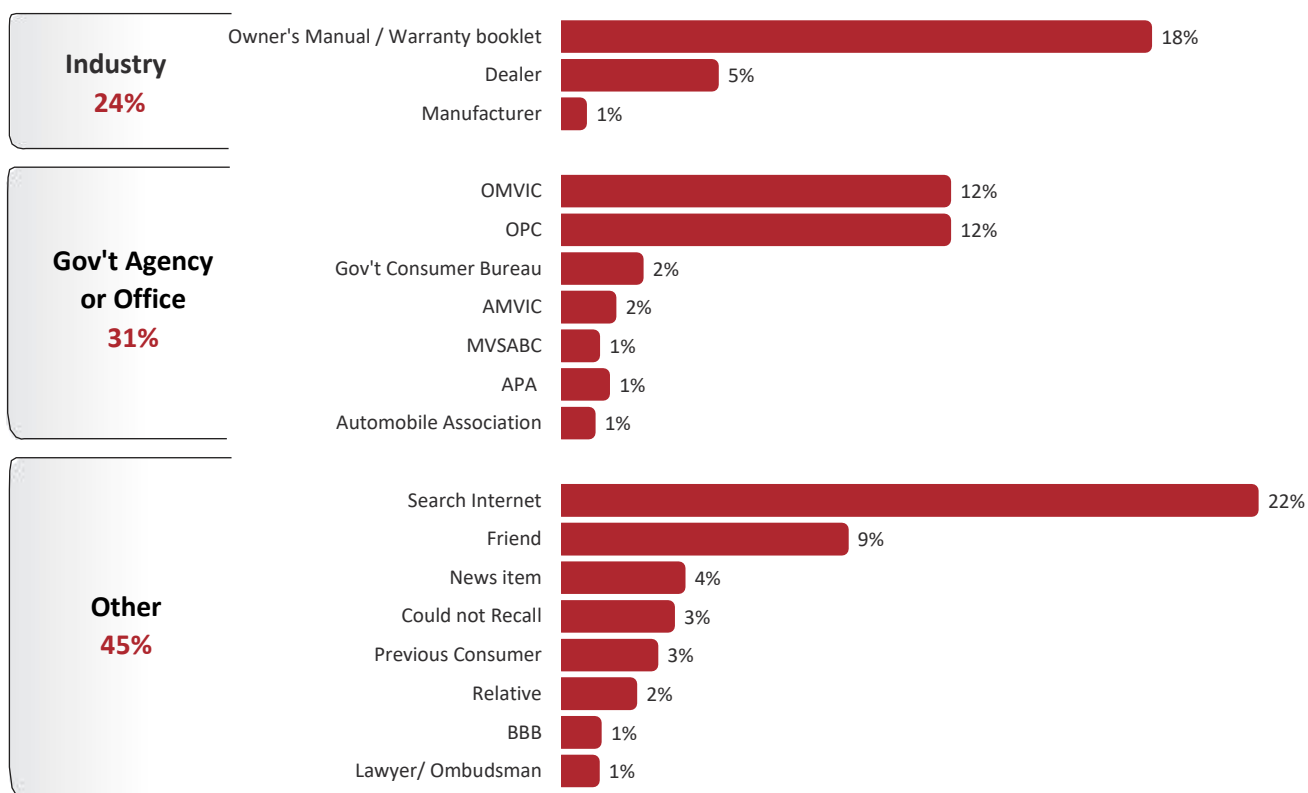
282

Claim Forms Returned

2021 PROGRAM RESULTS

2021 INITIAL CONTACT WITH THE CAMVAP PROVINCIAL ADMINISTRATOR

Consumers are asked how they found out about CAMVAP on their first telephone contact with the program’s administrators. This information is manually collected by the provincial administrator and then collated by the head office.



2021 CAMVAP WEBSITE STATISTICS

The CAMVAP website is available in both English and French languages. The CAMVAP website is multi-purpose and includes information about the program. From here, an access portal to the Claims Management System where CAMVAP cases are managed and a members’ area for member and Board of Director's communications is available.



35,607

Web Views

11%

French Contacts

89%

English Contacts



9,722

Referred Traffic



25,885

Direct Traffic

2021 PROGRAM RESULTS

2021 CLAIMS MANAGEMENT SYSTEM

CAMVAP launched a custom developed Claims Management System on November 1, 2016. The CMS is available in English and French and gives the consumer and the manufacturer much better access to the program. The consumer can start their application directly from the 'Start the Process' button and can track their application throughout the process by clicking on the 'View My Claim' button on the website.

800

CMS Accounts Created

2021 CAMVAP AWARD RESULTS

The results are based on 181 Arbitrated cases, 2 Additional Award cases and 9 Consent Award cases. The 2 Additional Award cases refer to 2020 arbitrated cases that resulted in an additional award in 2021 (1 no liability, and 1 buyback with no reduction for use). There are multiple awards in some cases.

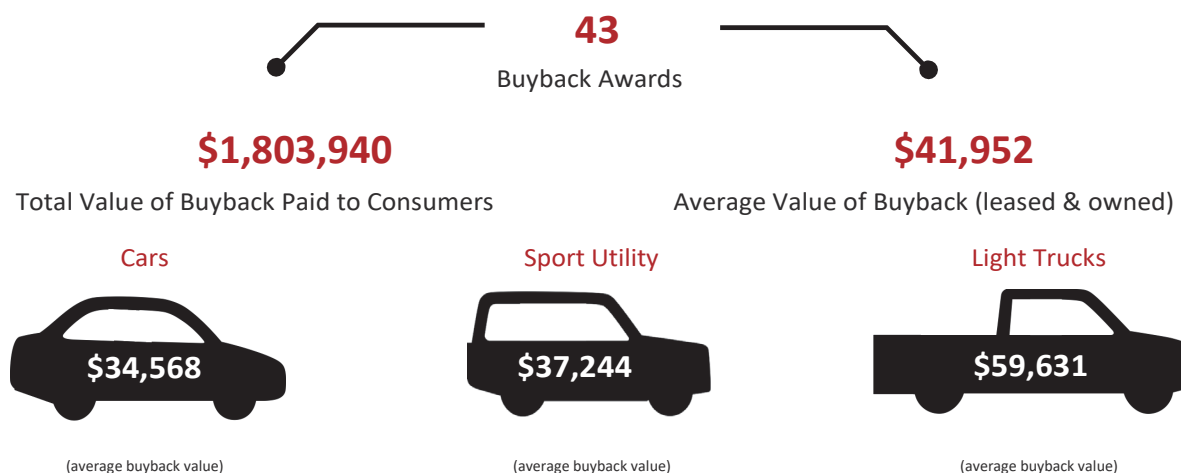
Province/Territory	Buyback With Reduction For Use	Buyback With No Reduction For Use	Reimbursement for Repairs	Make Repairs	Out-of-Pocket	Other	Arbitrator has No Jurisdiction	Manufacturer Has No Liability in All Matters Brought Forward	Number of Awards Issued
British Columbia	4	2	1	11	1	0	1	18	38
Alberta	7	0	0	6	2	0	0	6	21
Saskatchewan	1	0	0	3	0	0	0	0	4
Manitoba	0	1	0	1	0	0	0	3	5
Ontario	17	3	2	25	3	6	0	51	107
Québec	4	1	0	6	1	3	2	10	27
New Brunswick	1	0	0	0	0	0	0	2	3
Nova Scotia	0	2	2	3	0	1	0	1	9
Prince Edward Island	0	0	0	0	0	0	0	0	0
Newfoundland & Labrador	0	0	0	1	0	0	1	5	7
Northwest Territories	0	0	0	0	0	0	0	1	1
Nunavut	0	0	0	0	0	0	0	0	0
Yukon Territory	0	0	0	0	0	0	0	0	0
TOTALS	34	9	5	56	7	10	4	97	222

There were 97 no liability awards issued in 2021. Overall, this means that consumers were successful with all or part of their claim 56.31% of the time when the case fully goes to arbitration. When the 22 Conciliated case awards are added to the total number of Arbitrated, Additional Award and Consent Award cases (244), consumers were successful 60.25% of the time.

2021 PROGRAM RESULTS

2021 BUYBACK AWARDS

As a result of changes to CAMVAP's reduction for use formula in September 2018, consumers may see an increase in the buyback amount awarded. There were 7 more buybacks in 2021 when compared to the 36 buybacks ordered in 2020. The total value of buybacks decreased by \$67,131. The average, per vehicle award, decreased by \$10,022. Buybacks were awarded in 22.40% of the Arbitrated, Additional Award and Consent cases (192 cases). No minivans were bought back in 2021.



2021 REIMBURSEMENT FOR REPAIR AWARDS

CAMVAP handled 2 less Reimbursement for Repair cases than was handled in 2020. The value of the reimbursements and the average reimbursement per claim varies significantly upon the overall expense of the repair claims.

Reimbursement for Repair Awarded: 5

Average Reimbursement: \$1,189

Total Value: \$5,943

2021 OUT OF POCKET ALLOWANCE

This category of awards covers reasonable and documented expenses that occur prior to the hearing including vehicle rentals, accommodation, towing, taxis, and weigh scale fees up to \$1,000. In 2021, payment for out of pocket expenses was awarded in 7 cases at a total of \$2,442 or an average of \$349 per case awarded. Payment for diagnostic testing was awarded in 4 of the 7 cases at a total of \$1,322 or an average of \$331 per case awarded. Diagnostic testing is a separated award and was established with consumers being eligible to claim up to \$500 for diagnostic expenses completed prior to the hearing.

Out of Pocket Allowance Awarded: 7

Average Allowance: \$349

Total Value: \$2,442

2021 PROGRAM RESULTS

2021 VEHICLE TYPES AND CONSUMER CONCERNS

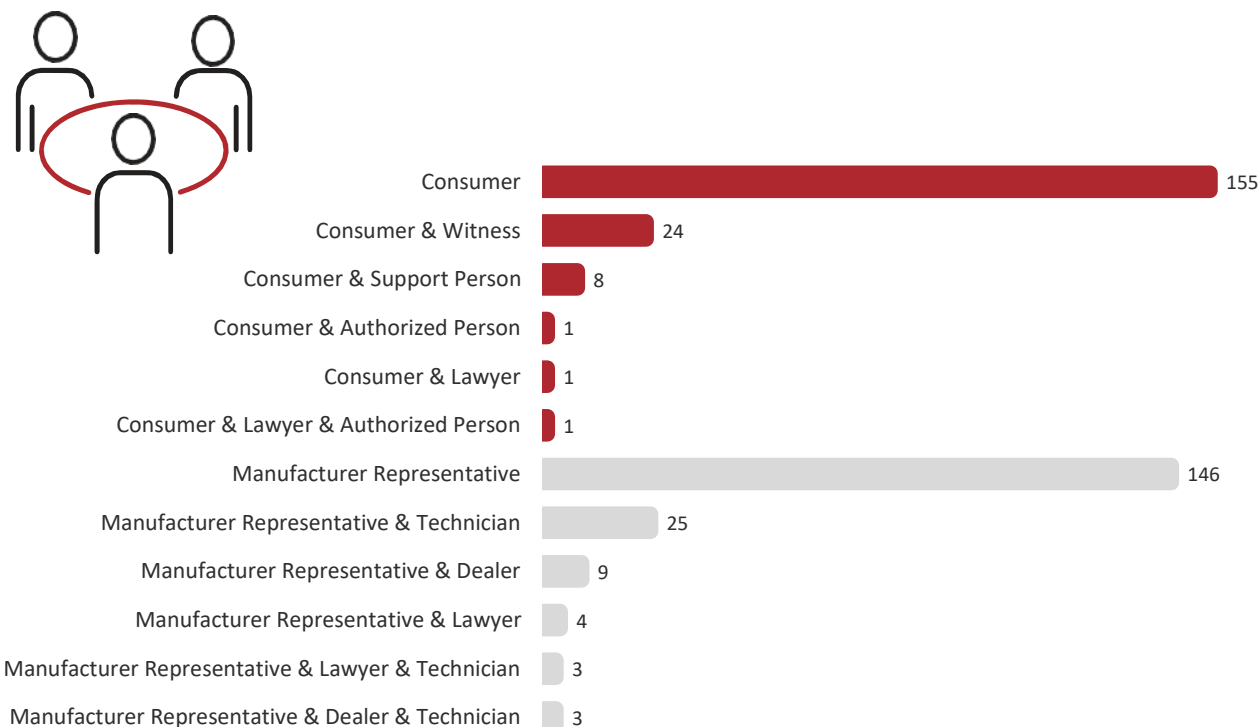
Distribution of vehicle issues was once again relatively consistent with previous years with the exception of a slight increase in computer/electric concerns and decrease in engine concerns in 2021.

This chart is based on 181 Arbitrated and 9 Consent cases.

	Total Cases	Accessories	Air/Heat/Cool	Brakes	Computer/Electric	Engine	Exterior	Interior	Steering/Suspension	Transmission	Total Complaints
Cars	59	5	6	3	20	12	12	4	3	16	81
Light Trucks	35	1	0	3	10	13	9	2	4	9	51
Mini Vans	2	0	0	0	0	2	0	0	0	0	2
Sport Utility	94	7	11	5	39	27	25	4	5	12	135
TOTALS	190	13	17	11	69	54	46	10	12	37	269

2021 WHO APPEARS AT CAMVAP HEARINGS?

The 2021 results show an increase of manufacturer and lawyer representation at hearings.



2021 PROGRAM RESULTS

2021 CASE TIMING

Overall case timing in 2021 increased to 164.14 days. With 40 cases that were over 250 days excluded, the average case handling time is 111.59 days. 47 cases or 25% of the arbitrated and consent cases were completed within 70 days. Cases have become complex with more cases that include eligibility hearings and technical inspections - 100 cases included one or more technical inspections. These changes along with COVID-19 related delays have a direct effect on case timing. The impact of eligibility hearings on case timing can now be accurately calculated. It is discussed below.

2021 COVID-19

CAMVAP continued to adapt to government-imposed restrictions and when needed to do so, suspended all operations where travel was required by the arbitrator, manufacturer, technical inspector and consumer. The Provincial Administrators worked diligently to progress the large volume of claims that were put on hold due to these restrictions.

2021 ELIGIBILITY HEARINGS

These hearings are normally conducted by teleconference to determine if a vehicle is eligible for CAMVAP. If the vehicle is eligible for CAMVAP then a hearing on the merits of the case will follow at a later date. If the vehicle is determined to be ineligible the case is closed.

There were 63 cases or 33% of the 181 Arbitrated and 9 Consent cases (190 cases in total) completed in 2021 where an eligibility hearing was held. Of the cases with eligibility hearings conducted as part of the process, 78% were found to be eligible to proceed to a hearing on the merits and 22% were found not eligible for CAMVAP (63 eligibility hearings, 49 claims approved, 14 ineligible). The eligibility hearing process took 26 days on average to complete. The growth of eligibility hearings as part of the CAMVAP process has a significant impact on CAMVAP's overall timing.

2021 TECHNICAL INSPECTIONS

An arbitrator may independently decide to order a technical inspection or consider requests for a technical inspection made by the parties. Technical inspections are examinations of the vehicle by a qualified, independent expert that prepares a written report with expert observations and opinions to help the arbitrator understand the vehicle issues in the case. The parties have 7 days to provide a written response to the technical inspection report prior to the release of the award.

There were 100 cases or 53% of the 181 Arbitrated and 9 Consent cases (190 cases in total) completed in 2021 where 1 or more technical inspections were completed. The technical inspection process took 86 days on average to complete when considering COVID-19 delays, scheduling, completing the inspection and report and the 7-day period for the parties to respond to the technical inspection report. The growth of technical inspections as part of the CAMVAP process also has a significant impact on CAMVAP's overall timing.

CONTACT INFORMATION

The CAMVAP toll-free service at 1-800-207-0685 will connect consumers with the proper Provincial Administrator based on the area code from which the consumer is calling. It is the number that should be used by consumers to contact the program. The local numbers below are shown for reference and local calls only.

Atlantic Canada

Better Business Bureau of the Atlantic Provinces Inc.
7071 Bayers Road, Suite 279, Halifax, NS B3L 2C2
Tel: 1-800-207-0685 or Halifax area: 902-422-2230 • Fax: 902-429-6457

Québec

Soreconi Inc.
1800 avenue industrielle, bureau 102, Québec, (Québec) G3K 1L8
Tel: 1-800-207-0685 or Québec City area: 418-915-9292 • Fax: 1-418-915-9449

Ontario

T.O. Corporate Services
21 St. Clair Avenue East, Ste 802, Toronto, ON M4T 1L9
Tel: 1-800-207-0685 or Toronto area: 416-921-2686 • Fax 416-967-6320

Saskatchewan and Manitoba

Better Business Bureau of Saskatchewan Inc.
980 Albert Street, Regina SK S4R 2P7
Tel: 1-800-207-0685 or Regina area :306-352-7602 • Fax: 306-565-6236

Alberta & Northwest Territories

ADR Institute of Alberta
#225, Tower 1, 3697 Mill Woods Road NW
Millbourne Market Mall, Edmonton, AB T6K 3L6
Tel: 1-800-207-0685 or Edmonton area :780-439-9359 • Fax: 780-433-9024

British Columbia & Yukon

Better Business Bureau of Mainland BC
1190 Melville Street, Suite 500, Vancouver, BC V6E 3W1
Tel: 1-800-207-0685 or Vancouver area: 604-682-6280 • Fax: 604-681-1544

For Consumer Information call the CAMVAP Provincial Administrator at 1-800-207-0685.



CONTACT INFORMATION

National Head Office

Canadian Motor Vehicle Arbitration Plan

235 Yorkland Boulevard, Suite 109, Toronto, ON M2J 4Y8

Tel: 1-800-806-3285 or 416-490-0615 • Fax 416-490-1680

Website addresses: www.camvap.ca • www.pavac.ca

For Media or Program Administration information call (416) 490-0615
or facsimile (416) 490-1680.

