



# 2016 & 2017 Annual Reports

Canadian Motor Vehicle Arbitration Plan



www.camvap.ca



### TABLE OF CONTENTS

| Canadian Motor Vehicle Arbitration Plan         | 6 |
|---|---|
| Consumer Access to the CAMVAP Program           | 7 |
| CAMVAP Award Statistics                         |   |
| Relevant Provincial and Territorial Legislation | 7 |
| Program Governance                              |   |
| CAMVAP Arbitrators                              | 9 |
| Provincial Administrators                       | 9 |
| CAMVAP Annual Reports                           | 9 |
|   |   |

#### 2016 Program Results

| 2016 Cases Handled   | 10 |
|--|----|
| 2016 Inquiry Progression – Getting to CAMVAP and Through the Process | 10 |
| 2016 Initial Contact with the CAMVAP Provincial Administrator        | 11 |
| 2016 Website Statistics  | 11 |
| 2016 Claims Management System  | 12 |
| 2016 CAMVAP Award Results  | 12 |
| 2016 Buyback Awards  | 13 |
| 2016 Reimbursement for Repair Awards                                 | 13 |
| 2016 Out of Pocket Allowance   | 13 |
| 2016 Case Timing   | 14 |
| 2016 Vehicle Types and Consumer Concerns                             | 14 |
| 2016 Who Appears at CAMVAP Hearings?                                 | 14 |

#### 2017 Program Results

| 2017 Cases Handled   | 15 |
|--|----|
| 2017 Inquiry Progression – Getting to CAMVAP and Through the Process | 15 |
| 2017 Initial Contact with the CAMVAP Provincial Administrator        | 16 |
| 2017 Website Statistics  | 16 |
| 2017 Claims Management System  | 17 |
| 2017 CAMVAP Award Results  | 17 |
| 2017 Buyback Awards  | 18 |
| 2017 Reimbursement for Repair Awards                                 | 18 |
| 2017 Out of Pocket Allowance   | 18 |
| 2017 Vehicle Types and Consumer Concerns                             | 19 |
| 2017 Who Appears at CAMVAP Hearings?                                 | 19 |
| 2017 Case Timing   | 20 |
| 2017 Eligibility Hearings  | 20 |
|  |    |
| Provincial Administrator Contact Information                         | 21 |
| National Head Office Contact Information                             | 22 |

### 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 Northwest Territories Nunavut

### **BOARD OF DIRECTORS**

### 2016

David Adams (GAC) Greg Basham (CAC) Suzanne Bonnell-Burley (G) Gary Frost (G) Denny Huygebaert (partial year) (G) Mark Nantais (CVMA) Craig Stewart (partial year) (G) Tim Ryan (CADA) Laura Stante (GAC) Peggy Stokes (CVMA) Darren Thomas (partial year) (G) Trevor Todd (Chair) (CAC) Glen Padassery (partial year) (G)

### 2017

David Adams (GAC) Greg Basham (CAC) Suzanne Bonnell-Burley (partial year) (G) Gary Frost (G) Denny Huygebaert (G) Mark Nantais (CVMA) Tim Ryan (CADA) Laura Stante (GAC) Peggy Stokes (CVMA) Trevor Todd (Chair) (CAC) Glen Padassery (G) Adam Peters (partial year) (G)

### STAFF

Stephen Moody (General Manager) Arlene Weijers (Program Coordinator) Lillian Lian (Bookkeeper/Administrative Assistant)



### PARTICIPATING MANUFACTURERS



The following vehicle manufacturers representing more than 94% of annual vehicle sales endorse the Canadian Motor Vehicle Arbitration Program (CAMVAP). Since 1994, 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.

FCA Canada Inc. 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

# CAMVAP PAVAC

### LETTER FROM THE CHAIR



This combined two-year annual report covers CAMVAP's 23rd and 24th years of operation. The program's directors, staff, administrators, arbitrators and other contract suppliers work hard to deliver on CAMVAP's commitment to be Fast, Free, Fair, Friendly and Final. As a national dispute resolution program, it is both challenging and rewarding to effectively deliver impartial dispute resolution services to our primary customers, the consumers who own or lease their vehicles and the manufacturers that distribute those vehicles through their authorized dealers across Canada.

CAMVAP is a contractually based partnership between the Provincial and Territorial Governments, the Consumers' Association of Canada, the Canadian Automobile Dealers Association, the Canadian Vehicle Manufacturers' Association and the Global Automakers of Canada. This unique partnership works well and is a key reason that CAMVAP is a national leader in consumer dispute resolution. Fully funded by the vehicle manufacturers CAMVAP diverts eligible cases from the taxpayer funded court system. All of the partners are in the program for the same common goal – to provide a neutral forum where consumers and the manufacturer of their vehicle can resolve issues.

The most significant investment that CAMVAP made over the last few years was the development of a new Claims Management System (CMS) to more effectively and efficiently administer the program and make it more user friendly for both consumers and manufacturers. I am pleased to report that the new CMS was fully implemented on October 31st, 2016, and has proven to be very successful. The CMS is directly linked to the CAMVAP website at www.camvap.ca and consumers can start an application at anytime of the day or night right from our site. Today, more than 90% of consumers accessing the program fully use the CMS to start the process, upload their case information and track their case as it moves through the CAMVAP dispute resolution process. Of course, our Provincial Administrators still manage the process and communicate with the consumer and manufacturer to facilitate the process from start to finish.

In terms of other important activities, in 2017 there was a minor consolidation of CAMVAP's Provincial Administrator offices with the Saskatchewan office taking on the responsibilities for cases in Manitoba. Also, in late 2017, a customer satisfaction survey was developed and implemented through our new CMS to gather feedback on the consumer's use of the program.

Looking ahead, a key focus will be the training of new arbitrators. Having seen several arbitrator retirements over the past two years, CAMVAP will be looking to identify and train a number of new arbitrators across the country. This is important, as having properly trained professional arbitrators is one of the key strengths of the program. CAMVAP will also be reviewing case timing given the increase observed in 2017 due to the growth of eligibility hearings. Consumers use CAMVAP because it is fast – and we want to get back to our target of cases being resolved in about 70 days.

I thank our stakeholders and staff for continuing to keep CAMVAP successful. Your contributions to this leading national program are what makes it work.

Trevor Todd



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.

### 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.







#### 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 Dealer 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.



#### 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 résumé 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.



#### 2016 CASES HANDLED

The number of arbitrated cases handled in 2016 was down by 36 cases or 17.65% below 2015 results. Conciliated cases were up by 10 cases or 38.46% above 2015 results. Consent awards were down by 22 cases or 64.71% below 2015 results. When the arbitrated, conciliated and consent cases are combined the 2016 total of 206, when compared to the 254 cases handled in 2015 is down 18.90%.

In addition to these cases, 155 consumers initially contacted CAMVAP and started the process and then withdrew from the process before the arbitration was set up. 17 cases were found by the arbitrator to be ineligible.

| Province /Territory     | Number of<br>Arbitrated<br>Cases | Number of<br>Conciliated<br>Cases | Number of<br>Consent<br>Awards | Total |
|-------------------------|----------------------------------|-----------------------------------|--------------------------------|-------|
| British Columbia        | 10                               | 0                                 | 0                              | 10    |
| Alberta                 | 28                               | 3                                 | 1                              | 32    |
| Saskatchewan            | 3                                | 0                                 | 0                              | 3     |
| Manitoba                | 9                                | 1                                 | 1                              | 11    |
| Ontario                 | 74                               | 16                                | 9                              | 99    |
| Québec                  | 29                               | 0                                 | 1                              | 30    |
| New Brunswick           | 4                                | 2                                 | 0                              | 6     |
| Nova Scotia             | 6                                | 1                                 | 0                              | 7     |
| Prince Edward Island    | 0                                | 0                                 | 0                              | 0     |
| Newfoundland & Labrador | 5                                | 3                                 | 0                              | 8     |
| Northwest Territories   | 0                                | 0                                 | 0                              | 0     |
| Nunavut                 | 0                                | 0                                 | 0                              | 0     |
| Yukon Territories       | 0                                | 0                                 | 0                              | 0     |
| 2016 Totals             | 168                              | 26                                | 12                             | 206   |

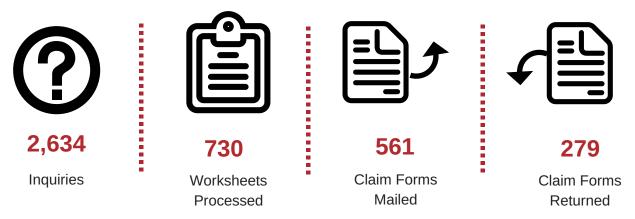
Arbitrated cases are those that proceed to a hearing at which the arbitrator makes an award based on the evidence presented by the parties.

**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'.

#### 2016 INQUIRY PROGRESSION

The CAMVAP Provincial Administrators handled 2,634 new enquiries in 2016 which is down 30.94% when compared to the 2015 result of 3,814 and the lowest in 18 years. Qualification Worksheets, which are an internal form that is used to start a CAMVAP case, were also down at 730 which is a decrease of 153 or 17.33% below the 2015 results. Of the 561 claim forms sent to program eligible consumers 279 were returned to CAMVAP by the consumer. This is down 19.83% from 2015 and the lowest since 1994 and represents a return rate of 49.73% which is in line with previous years.

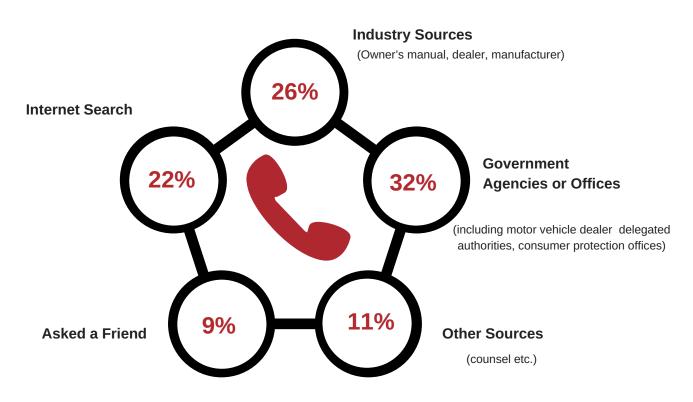




# CAMVAP PAVAC

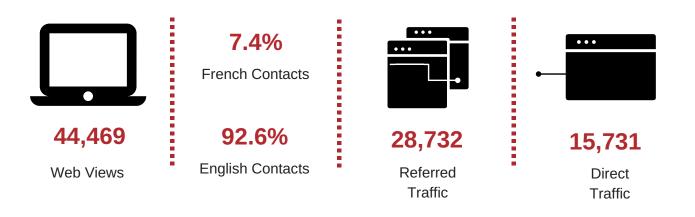
### INITIAL CONTACT WITH THE CAMVAP PROVINCIAL ADMINISTRATOR

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.



### 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 and an access portal to the Claims Management System where CAMVAP cases are managed, and a member's area for member and board of director's communications.





### CLAIMS MANAGEMENT SYSTEM

CAMVAP launched a new 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 'My Claim' button on the website and can track their application throughout the process.



### **CMS Accounts Created**

213

### 2016 CAMVAP AWARD RESULTS

(Based on 168 Arbitrated cases and 12 Consent Award Cases. There are multiple awards in some cases)

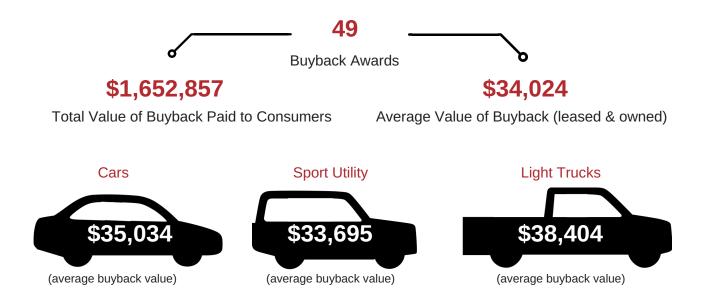
| Province / Territory    | Buyback<br>With<br>Reduction<br>for Use | Buyback<br>With No<br>Reduction<br>For Use | Reimburse-<br>ment for<br>Repairs | Make<br>Repairs | Out-of-<br>Pocket | Arbitrator<br>has No<br>Jurisdiction | Manufacturer<br>has No<br>Liability in<br>all Matters<br>Brought<br>Forward | Number<br>of<br>Awards<br>Issued |
|-------------------------|---|--|-----------------------------------|-----------------|-------------------|--------------------------------------|---|----------------------------------|
| British Columbia        | 3                                       | 1  | 0                                 | 3               | 0                 | 0                                    | 3   | 10                               |
| Alberta                 | 4                                       | 5  | 1                                 | 5               | 0                 | 1                                    | 13  | 21                               |
| Saskatchewan            | 2                                       | 0  | 0                                 | 0               | 0                 | 0                                    | 1   | 3                                |
| Manitoba                | 1                                       | 0  | 0                                 | 3               | 0                 | 0                                    | 5   | 9                                |
| Ontario                 | 3                                       | 22   | 4                                 | 12              | 0                 | 1                                    | 39  | 81                               |
| Québec                  | 4                                       | 0  | 0                                 | 13              | 1                 | 0                                    | 13  | 31                               |
| New Brunswick           | 0                                       | 0  | 1                                 | 1               | 0                 | 0                                    | 2   | 4                                |
| Nova Scotia             | 0                                       | 2  | 0                                 | 0               | 0                 | 0                                    | 4   | 6                                |
| Prince Edward Island    | 0                                       | 0  | 0                                 | 0               | 0                 | 0                                    | 0   | 0                                |
| Newfoundland & Labrador | 2                                       | 0  | 0                                 | 0               | 0                 | 0                                    | 3   | 5                                |
| Northwest Territories   | 0                                       | 0  | 0                                 | 0               | 0                 | 0                                    | 0   | 0                                |
| Nunavut                 | 0                                       | 0  | 0                                 | 0               | 0                 | 0                                    | 0   | 0                                |
| Yukon Territory         | 0                                       | 0  | 0                                 | 0               | 0                 | 0                                    | 0   | 0                                |
| TOTALS                  | 19                                      | 30   | 6                                 | 37              | 1                 | 2                                    | 83  | 178                              |

There were 83 full no liability awards issued in 2016. Overall, this means that consumers were successful with all or part of their claim 50.6% of the time when the case fully goes to arbitration. This is down 8.7% from 2015. When the 26 Conciliated cases are added to the total number of Arbitrated and Consent cases (206), consumers were successful in 59.7% of the cases.



### 2016 BUYBACK AWARDS

There were 16 fewer buybacks in 2016 when compared to the 65 buybacks ordered in 2015. Buybacks were awarded in 27.2% of the Arbitrated and Consent Cases.



### 2016 REIMBURSEMENT FOR REPAIR AWARDS

The value of the reimbursements and the average reimbursement per claim varies significantly upon the overall expense of the repair claims.



### 2016 OUT OF POCKET ALLOWANCE

This category of awards covers reasonable and documented expenses that occur prior to the hearing including vehicle rentals, diagnostic testing, accommodation, towing, taxis and weigh scale fees. Under changes to the Agreement for Arbitration implemented in December 2011, a separate award for diagnostic testing was established with consumers now being eligible to claim up to \$500 for diagnostic expenses completed prior to the hearing.

Payment for diagnostic testing was awarded in 1 case. A total of \$39 or an average of \$39 per case was awarded.





### 2016 VEHICLE TYPES AND CONSUMER CONCERNS

Distribution of vehicle issues was once again relatively consistent with previous years. This chart is based on 168 arbitrated and 12 consent awards.

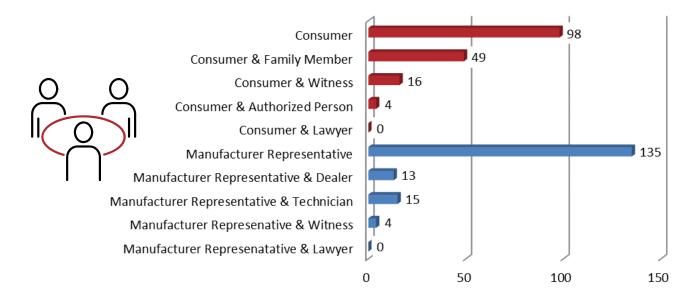
|                  | Total<br>Cases | Accessories | Air/<br>Heat/<br>Cool | Brakes | Computer/<br>Electrical | Engine | Exterior | Interior | Steering/<br>Suspension | Transmission | Total<br>Complaints |
|------------------|----------------|-------------|-----------------------|--------|-------------------------|--------|----------|----------|-------------------------|--------------|---------------------|
| Cars             | 85             | 6           | 4                     | 3      | 8                       | 20     | 12       | 3        | 11                      | 38           | 105                 |
| Light<br>Trucks  | 32             | 0           | 3                     | 1      | 5                       | 8      | 8        | 1        | 11                      | 4            | 41                  |
| Mini<br>Vans     | 11             | 1           | 1                     | 0      | 4                       | 1      | 3        | 0        | 1                       | 2            | 13                  |
| Sport<br>Utility | 52             | 4           | 4                     | 5      | 7                       | 13     | 13       | 5        | 9                       | 16           | 76                  |
| TOTALS           | 180            | 11          | 12                    | 9      | 24                      | 42     | 36       | 9        | 32                      | 60           | 235                 |

#### 2016 CASE TIMING

Overall case timing in 2016 was 78.42 days. With five cases that are over 250 days excluded, the average case handling time is 72.73 days. Continued attention is being paid to the case timing and steps that can be taken to decrease case timing overall.

#### 2016 WHO APPEARS AT CAMVAP HEARINGS?

The 2016 results are lower to those noted in 2015 but hold similar ratios. Manufacturers and consumers did not use any lawyers for hearings .



# CAMVAP PAVAC

### 2017 CASES HANDLED

The number of arbitrated cases handled in 2017 was up by 4 cases or 2.38% above 2016 results. Conciliated cases were up by 1 case or 3.85% above 2016 results. Consent awards were down by 5 cases or 41.67% below 2016 results. When the arbitrated, conciliated and consent cases are combined the 2017 total of 206, when compared to the 206 cases handled in 2016 remains exactly the same.

In addition to these cases, 215 consumers initially contacted CAMVAP and started the process and then withdrew from the process before the arbitration was set up. 24 cases were found by the arbitrator to be ineligible.

| Province /Territory     | Number of<br>Arbitrated<br>Cases | Number of<br>Conciliated<br>Cases | Number of<br>Consent<br>Awards | Total |
|-------------------------|----------------------------------|-----------------------------------|--------------------------------|-------|
| British Columbia        | 14                               | 1                                 | 0                              | 15    |
| Alberta                 | 21                               | 1                                 | 1                              | 23    |
| Saskatchewan            | 3                                | 0                                 | 0                              | 3     |
| Manitoba                | 3                                | 2                                 | 0                              | 5     |
| Ontario                 | 85                               | 14                                | 5                              | 104   |
| Québec                  | 30                               | 7                                 | 1                              | 38    |
| New Brunswick           | 4                                | 1                                 | 0                              | 5     |
| Nova Scotia             | 7                                | 1                                 | 0                              | 8     |
| Prince Edward Island    | 2                                | 0                                 | 0                              | 2     |
| Newfoundland & Labrador | 3                                | 0                                 | 0                              | 3     |
| Northwest Territories   | 0                                | 0                                 | 0                              | 0     |
| Nunavut                 | 0                                | 0                                 | 0                              | 0     |
| Yukon Territories       | 0                                | 0                                 | 0                              | 0     |
| 2017 Totals             | 172                              | 27                                | 7                              | 206   |

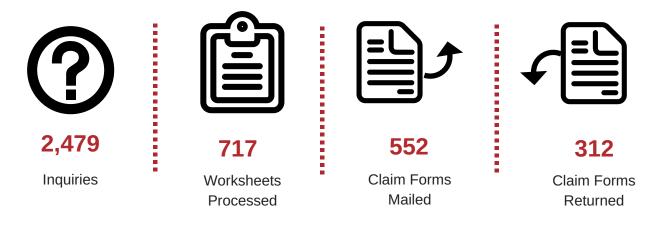
Arbitrated cases are those that proceed to a hearing at which the arbitrator makes an award based on the evidence presented by the parties.

**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'.

### 2017 INQUIRY PROGRESSION

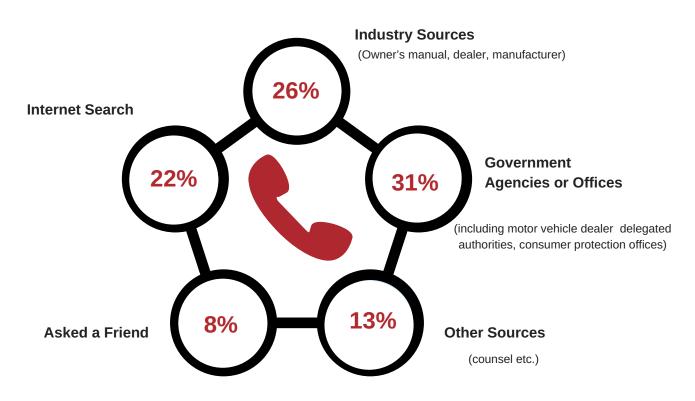
The CAMVAP Provincial Administrators handled 2,479 new enquiries in 2017 which is 5.88% below the 2016 result of 2,634 and the lowest since 1994. Qualification Worksheets, which are an internal form that is used to start a CAMVAP case, were also down at 717 which is a decrease of 13 or 1.78% below the 2016 results. Of the 552 claim forms sent to program eligible consumers 312 were returned to CAMVAP by the consumer. This is up 11.83% from 2016 and represents a return rate of 57% which is notably higher than in 2016.



# CAMVAP PAVAC

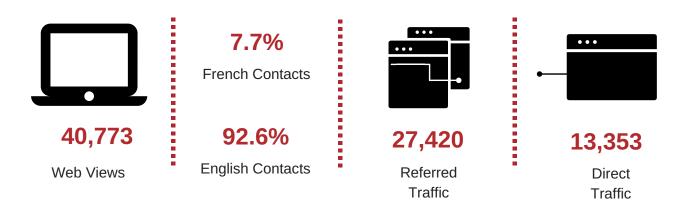
### INITIAL CONTACT WITH THE CAMVAP PROVINCIAL ADMINISTRATOR

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.



### 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 and an access portal to the Claims Management System where CAMVAP cases are managed, and a member's area for member and board of director's communications.





CAMVAP launched a new 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 'My Claim' button on the website and can track their application throughout the process.



**CMS Accounts Created** 

900

#### 2017 CAMVAP AWARD RESULTS

(Based on 172 Arbitrated cases and 7 Consent Award Cases. There are multiple awards in some cases)

| Province / Territory    | Buyback<br>With<br>Reduction<br>for Use | Buyback<br>With No<br>Reduction<br>For Use | Reimburse-<br>ment for<br>Repairs | Make<br>Repairs | Out-of-<br>Pocket | Arbitrator has<br>No Jurisdiction | Manufacturer<br>has No<br>Liability in<br>all Matters<br>Brought<br>Forward | Number<br>of<br>Awards<br>Issued |
|-------------------------|---|--|-----------------------------------|-----------------|-------------------|-----------------------------------|---|----------------------------------|
| British Columbia        | 3                                       | 1  | 0                                 | 2               | 1                 | 0                                 | 7   | 14                               |
| Alberta                 | 10                                      | 2  | 1                                 | 3               | 0                 | 1                                 | 7   | 24                               |
| Saskatchewan            | 1                                       | 0  | 0                                 | 0               | 0                 | 0                                 | 2   | 3                                |
| Manitoba                | 0                                       | 0  | 0                                 | 1               | 0                 | 0                                 | 2   | 3                                |
| Ontario                 | 18                                      | 9  | 2                                 | 20              | 2                 | 1                                 | 36  | 88                               |
| Québec                  | 4                                       | 0  | 2                                 | 13              | 5                 | 2                                 | 14  | 40                               |
| New Brunswick           | 1                                       | 0  | 0                                 | 2               | 0                 | 0                                 | 1   | 4                                |
| Nova Scotia             | 2                                       | 0  | 0                                 | 1               | 0                 | 0                                 | 4   | 7                                |
| Prince Edward Island    | 1                                       | 1  | 0                                 | 0               | 0                 | 0                                 | 0   | 2                                |
| Newfoundland & Labrador | 1                                       | 1  | 0                                 | 1               | 0                 | 0                                 | 0   | 3                                |
| Northwest Territories   | 0                                       | 0  | 0                                 | 0               | 0                 | 0                                 | 0   | 0                                |
| Nunavut                 | 0                                       | 0  | 0                                 | 0               | 0                 | 0                                 | 0   | 0                                |
| Yukon Territory         | 0                                       | 0  | 0                                 | 0               | 0                 | 0                                 | 0   | 0                                |
| TOTALS                  | 41                                      | 14   | 5                                 | 43              | 8                 | 4                                 | 73  | 188                              |

There were 73 full no liability awards issued in 2017. Overall, this means that consumers were successful with all or part of their claim 57.8% of the time when the case fully goes to arbitration. This is up 7.2% from 2016. When the 27 Conciliated cases are added to the total number of Arbitrated and Consent cases (206), consumers were successful in 64.6% of the cases.

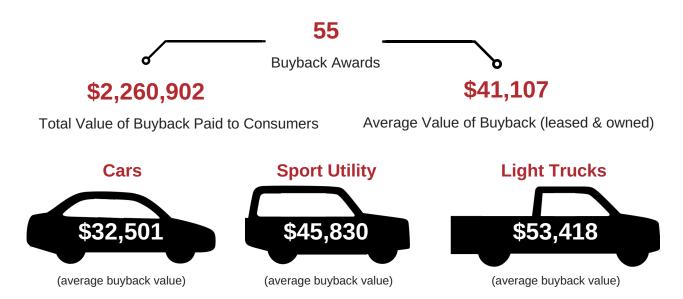
CASES) Manufacturer has No Number





### 2017 BUYBACK AWARDS

There were 6 more buybacks in 2017 when compared to the 49 buybacks ordered in 2016. The total value of buybacks had increased by \$608,045. The average, per vehicle award, had increased by \$7,083. Buybacks were awarded in 30.56% of the Arbitrated and Consent cases.



### 2017 REIMBURSEMENT FOR REPAIR AWARDS

CAMVAP handled 1 less Reimbursement for Repair case as was handled in 2016. The value of the reimbursements and the average reimbursement per claim varies significantly upon the overall expense of the repair claims.



### 2017 OUT OF POCKET ALLOWANCE

This category of awards covers reasonable and documented expenses that occur prior to the hearing including vehicle rentals, diagnostic testing, accommodation, towing, taxis and weigh scale fees. Under changes to the Agreement for Arbitration implemented in December 2011, a separate award for diagnostic testing was established with consumers now being eligible to claim up to \$500 for diagnostic expenses completed prior to the hearing.

Payment for diagnostic testing was awarded in 8 cases. A total of \$3,508 or an average of \$439 per case was awarded.





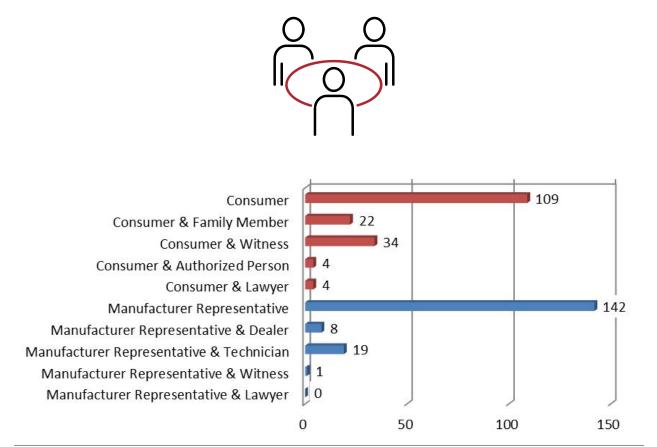
### 2017 VEHICLE TYPES AND CONSUMER CONCERNS

Distribution of vehicle issues was once again relatively consistent with previous years. There is a notable increase of computer/electrical concerns and decrease of transmission concerns. This chart is based on 172 arbitrated and 7 consent awards.

|                  | Total<br>Cases | Accessories | Air/<br>Heat/<br>Cool | Brakes | Computer/<br>Electrical | Engine | Exterior | Interior | Steering/<br>Suspension | Transmission | Total<br>Complaints |
|------------------|----------------|-------------|-----------------------|--------|-------------------------|--------|----------|----------|-------------------------|--------------|---------------------|
| Cars             | 77             | 7           | 2                     | 7      | 24                      | 20     | 12       | 2        | 10                      | 20           | 104                 |
| Light<br>Trucks  | 46             | 0           | 2                     | 2      | 10                      | 15     | 17       | 6        | 14                      | 6            | 72                  |
| Mini<br>Vans     | 4              | 0           | 0                     | 1      | 1                       | 2      | 0        | 0        | 1                       | 2            | 7                   |
| Sport<br>Utility | 52             | 3           | 4                     | 4      | 7                       | 22     | 12       | 1        | 9                       | 9            | 71                  |
| TOTALS           | 179            | 10          | 8                     | 14     | 42                      | 59     | 41       | 9        | 34                      | 37           | 254                 |

### 2017 WHO APPEARS AT CAMVAP HEARINGS?

The 2017 results show an increase of consumer and witness representation at hearings as well as slight increase of lawyer and technician representation.





#### 2017 CASE TIMING

Overall case timing in 2017 increased to 91.04 days. With five cases that are over 250 days excluded, the average case handling time is 88.11 days. 81 cases or 45% 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 - 21 cases included one or more technical inspections. These changes have a direct effect on case timing. The impact of eligibility hearings on case timing can now be accurately calculated. It is discussed below.

#### 2017 ELIGIBILITY HEARINGS

With more detailed statistical information now available through the Claims Management System, the impact of Eligibility Hearings can be determined and reported upon. 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 75 cases or 42% of the 179 cases completed in 2017 where an eligibility hearing was held.

Of the cases with eligibility hearings conducted as part of the process, 71% were found to be eligible to proceed to a hearing on the merits and 29% were found to be not eligible for CAMVAP.

When grouped together these cases took 90 days on average to complete. 53 eligible cases averaged 102 days and 22 ineligible cases averaged 67.4 days to complete. The growth of eligibility hearings as part of the CAMVAP process 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 Toll-free: 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

(CAMVAP amalgamated the Manitboa and Saskatchewan Provincial Administrator's offices in 2017)

#### Alberta & Northwest Territories

ADR Institute of Alberta 7128 Ada Blvd. Ralph King Athletic Centre, Room CE223A, Edmonton AB T5B 4E4 Tel: 1-800-207-0685 or Edmonton area 780-439-9359 • Fax: 780-433-9024

#### **British Columbia & Yukon**

Better Business Bureau of Mainland BC 788 Beatty Street, Suite 404, Vancouver, BC V6B 2M1 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.

