



2020 Annual Report

Canadian Motor Vehicle Arbitration Plan



TABLE OF CONTENTS

Canadian Motor Vehicle Arbitration Plan	7
Consumer Access to the CAMVAP Program	8
CAMVAP Award Statistics.....	8
Relevant Provincial and Territorial Legislation.	8
Program Governance	9
CAMVAP Arbitrators.....	10
Provincial Administrators.....	10
CAMVAP Annual Reports	10

2020 Program Results

2020 Cases Handled.....	11
2020 Inquiry Progression – Getting to CAMVAP and Through the Process	11
2020 Initial Contact with the CAMVAP Provincial Administrator.	12
2020 Website Statistics.....	12
2020 Claims Management System.	13
2020 CAMVAP Award Results	13
2020 Buyback Awards	14
2020 Reimbursement for Repair Awards	14
2020 Out of Pocket Allowance	14
2020 Vehicle Types and Consumer Concerns.....	15
2020 Who Appears at CAMVAP Hearings?.....	15
2020 Case Timing	16
2020 COVID-19.....	16
2020 Eligibility Hearings.....	16
2020 Technical Inspections.....	16
Provincial Administrator Contact Information.....	17
National Head Office Contact Information	18



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

2020

David Adams (partial year) (Chair) (GAC)
Rawad Al Rabbat (partial year) (GAC)
Greg Basham (CAC)
Gary Frost (G)
Kelly Houston-Routley (G)
Denny Huyghebaert (G)
Brian Kingston (partial year) (CVMA)
Mark Nantais (partial year) (Chair) (CVMA)
Adam Peters (G)
Tim Ryan (CADA)
Laura Stante (partial year) (GAC)
Peggy Stokes (CVMA)
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 94% of annual vehicle sales endorse the Canadian Motor Vehicle Arbitration Program (CAMVAP). For 26 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. FCA Canada Inc. is no longer a participating manufacturer of the CAMVAP program effective December 31, 2020. Claim applications for FCA vehicle cases are no longer accepted after this date.

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

LETTER FROM THE CHAIR



2020 is a year that none of us will soon forget. No other factor has altered our personal lives and the way that we conduct business as much as COVID has.

CAMVAP was similarly impacted by COVID.

Like many other businesses CAMVAP transitioned to a work-from-home business model not only for our head office but also for our six Provincial Administrators, who are the face of our program to the consumer. While the pandemic presented challenges, resulting in the postponement of in-person hearings and physical technical inspections, it also presented opportunities; our Board of Directors was able to meet more frequently over the course of the year and the program accelerated into the space of virtual hearings

where those were possible and did not undermine the fairness of the process for either party. It is expected that virtual hearings will continue to be part of the CAMVAP program post-COVID as an easier and cost-effective way of delivering a formal but comfortable arbitration experience for both manufacturers and consumers.

Overall, the program handled 46 fewer cases than the previous year. This reduction can be attributed to the COVID-19 lockdowns.

Hindsight is always useful, but at the time of establishing our budget for 2020 there remained too many unknowns regarding the virus, its endurance, and its ultimate impact on not only our business but that of the vehicle manufacturers that fund the program. Responsibly paring down our budget by 14%, our staff and Board of Directors worked to nonetheless ensure that the program's key objectives for the year were met. Our staff and Board of Directors deserve our recognition and thanks for their hard work to achieve these results.

This year was challenging from another perspective as well. The program lost Fiat Chrysler Automobiles Inc. (now Stellantis Canada) as a member of the program. As the vehicle manufacturers fund the program, the withdrawal of any member company is not received lightly by the Board of Directors. The reasons for FCA's withdrawal are being and will continue to be reviewed in detail by the Board, in order to ensure that the program continues to meet the needs of both manufacturers and consumers.

Several changes to the program were introduced in 2020, which included addressing aftermarket parts on vehicles, connectivity with third-party devices such as cell phones, replacement parts on vehicles and software issues. Innovative and responsive changes such as these are one of the strengths of the Canadian Motor Vehicle Arbitration Plan vis-à-vis so-called Lemon Laws as they are structured in each of the 50 United States. At CAMVAP there are no laws to amend, but rather through thoughtful and reasoned discussion at the Board of Directors level we can make the changes that we desire, at any time, to improve the program. (continued)



LETTER FROM THE CHAIR

There are about 50 arbitrators who provide service to CAMVAP across Canada. Their service, neutrality and effective handling of the cases is one of the hallmarks of the CAMVAP program. We thank them for their service and the skills they bring to the program. It is this collaborative effort of all parties involved in CAMVAP's governance and administration that makes CAMVAP a unique and effective alternative dispute resolution program.

Finally, I would be remiss if I did not recognize Mark Nantais, former President of the Canadian Vehicle Manufacturers Association and Chair of the CAMVAP Board of Directors for 2019 and most of 2020. His leadership of and dedication to the program is acknowledged and appreciated.

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



2020 PROGRAM RESULTS

2020 CASES HANDLED

The number of arbitrated cases handled in 2020 were down by 46 cases or 27.06% below 2019 results. Conciliated cases were down by 9 cases or 27.27% below 2019 results. Consent awards were down by 3 cases or 27.27% below 2019 results. When the arbitrated, conciliated, and consent cases are combined, the 2020 total of 156 when compared to the 214 cases handled in 2019 is down 27.10%.

In addition to these cases, 385 consumers initially contacted CAMVAP and started the process and then withdrew from the process before the arbitration was set up. 26 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	10	5	0	15
Alberta	31	1	0	32
Saskatchewan	0	0	0	0
Manitoba	0	1	0	1
Ontario	48	14	5	67
Québec	20	1	3	24
New Brunswick	4	0	0	4
Nova Scotia	9	2	0	11
Prince Edward Island	0	0	0	0
Newfoundland & Labrador	2	0	0	2
Northwest Territories	0	0	0	0
Nunavut	0	0	0	0
Yukon Territory	0	0	0	0
TOTALS	124	24	8	156

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".

2020 INQUIRY PROGRESSION – GETTING TO CAMVAP AND THROUGH THE PROCESS

The CAMVAP Provincial Administrators handled 1,780 new phone inquiries in 2020 which is 37.78% below the 2019 result of 2,838. In addition to phone inquiries, the CAMVAP Provincial Administrators handled 264 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 848 which is a decrease of 79 or 8.52% below the 2019 results. Of the 423 claim forms sent to program eligible consumers, 258 were returned to CAMVAP by the consumer. This is down 8.83% from 2019 and represents a return rate of 61% which is slightly higher than in 2019.



2,044

Phone & Web Inquiries



848

Worksheets Processed



423

Claim Forms Requested



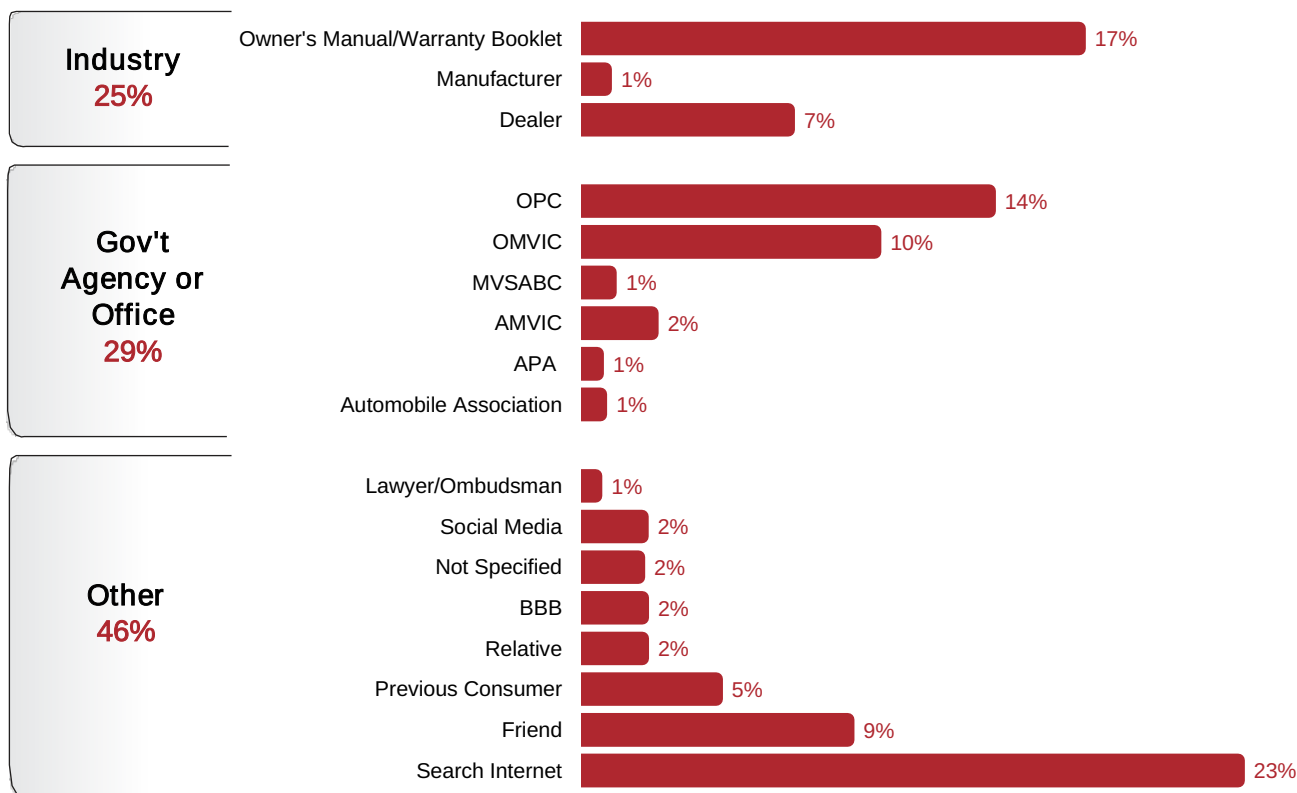
258

Claim Forms Returned

2020 PROGRAM RESULTS

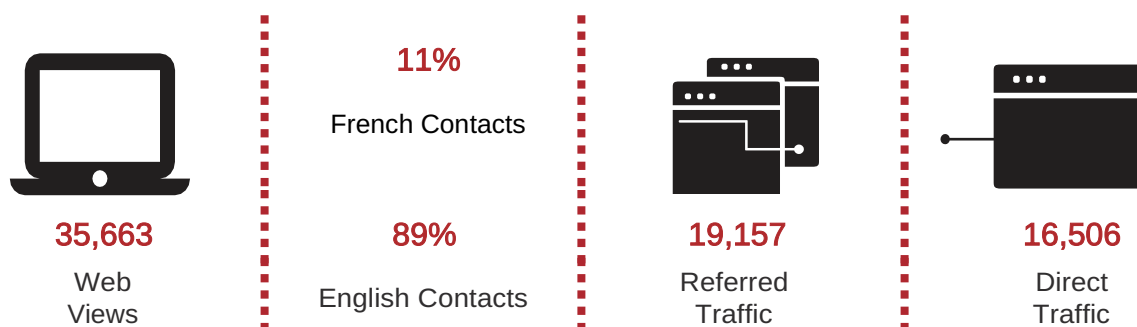
2020 INITIAL CONTACT WITH THE CAMVAP PROVINCIAL ADMINISTRATOR

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.



2020 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.



2020 PROGRAM RESULTS

2020 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.

1,038

CMS Accounts Created

2020 CAMVAP AWARD RESULTS

The results are based on 124 Arbitrated cases, 4 Additional Award cases and 8 Consent Award cases. The 4 Additional Award cases refer to 2019 arbitrated cases that resulted in an additional award in 2020 (2 no liability, 3 make repairs awards and 1 loaner vehicle on consent). There are multiple awards in some cases.

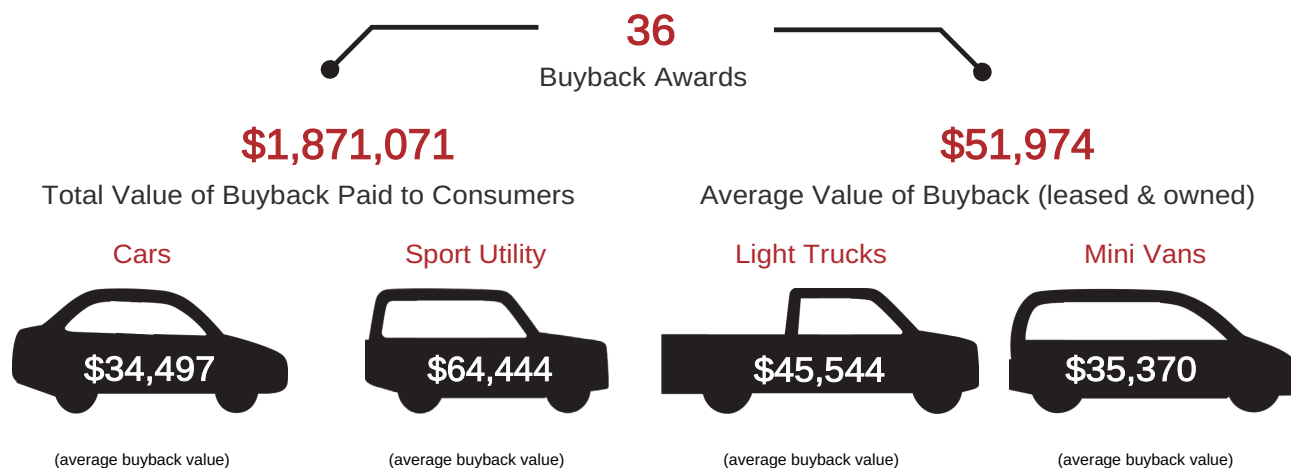
Province/Territory	Buyback With Reduction For Use	Buyback With No Reduction For Use	Reimbursement for Repairs	Make Repairs	Out-of-Pocket	Other	Arbitrator has No Jurisdiction	Manufacturer Has No Liability in All Matters Brought Forward	Number of Awards Issued
British Columbia	1	2	1	2	0	0	0	4	10
Alberta	7	1	3	8	2	1	3	14	39
Saskatchewan	0	0	0	2	0	1	0	0	3
Manitoba	0	0	0	0	0	0	0	0	0
Ontario	17	0	2	16	1	3	1	21	61
Québec	3	2	0	6	2	1	1	11	26
New Brunswick	1	0	0	0	0	0	0	4	5
Nova Scotia	1	0	1	3	0	0	0	4	9
Prince Edward Island	0	0	0	0	0	0	0	0	0
Newfoundland & Labrador	1	0	0	0	0	0	0	1	2
Northwest Territories	0	0	0	0	0	0	0	0	0
Nunavut	0	0	0	0	0	0	0	0	0
Yukon Territory	0	0	0	0	0	0	0	0	0
TOTALS	31	5	7	37	5	6	5	59	155

There were 59 no liability awards issued in 2020. Overall, this means that consumers were successful with all or part of their claim 61.94% of the time when the case fully goes to arbitration. When the 24 Conciliated case awards are added to the total number of Arbitrated, Additional Award and Consent Award cases (136), consumers were successful 67.04% of the time.

2020 PROGRAM RESULTS

2020 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 23 less buybacks in 2020 when compared to the 59 buybacks ordered in 2019. The total value of buybacks decreased by \$444,405. The average, per vehicle award, had increased by \$14,205. Buybacks were awarded in 26.47% of the Arbitrated, Additional Award and Consent cases (136 cases).



2020 REIMBURSEMENT FOR REPAIR AWARDS

CAMVAP handled 1 more Reimbursement for Repair case than was handled in 2019. 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: 7
Average Reimbursement: \$3,274
Total Value: \$22,918

2020 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 2020, payment for out of pocket expenses was awarded in 4 cases at a total of \$1,220 or an average of \$305 per case awarded. Payment for diagnostic testing was awarded in 2 of the 4 cases at a total of \$988 or an average of \$494 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: 4
Average Allowance: \$305
Total Value: \$1,220

2020 PROGRAM RESULTS

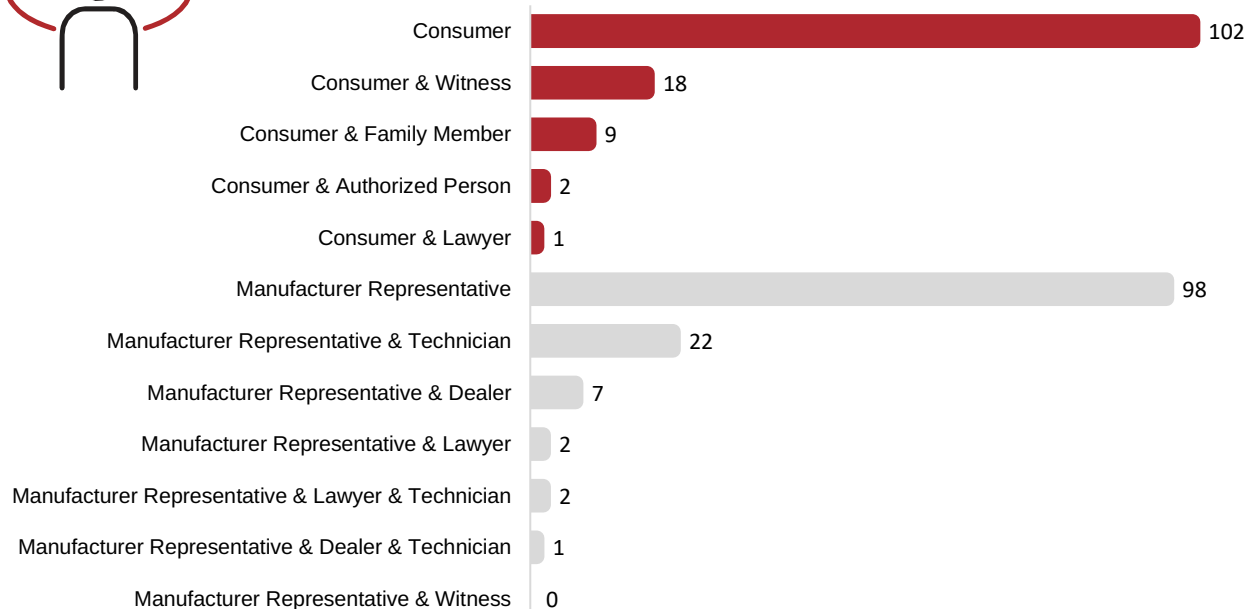
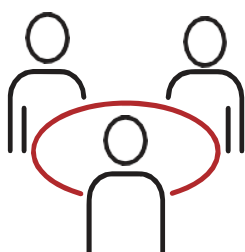
2020 VEHICLE TYPES AND CONSUMER CONCERNS

Distribution of vehicle issues was once again relatively consistent with previous years. This chart is based on 124 Arbitrated and 8 Consent cases.

	Total Cases	Accessories	Air/Heat/Cool	Brakes	Computer/Electric	Engine	Exterior	Interior	Steering/Suspension	Transmission	Total Complaints
Cars	40	2	4	3	8	24	5	0	3	5	54
Light Trucks	35	3	1	0	4	15	12	3	4	7	49
Mini Vans	4	0	0	0	1	1	1	0	0	1	4
Sport Utility	53	5	8	3	17	20	12	0	4	8	77
TOTALS	132	10	13	6	30	60	30	3	11	21	184

2020 WHO APPEARS AT CAMVAP HEARINGS?

The 2020 results show an increase of manufacturer and lawyer representation at hearings.



2020 PROGRAM RESULTS

2020 CASE TIMING

Overall case timing in 2020 increased to 148.78 days. With 24 cases that were over 250 days excluded, the average case handling time is 116.20 days. 22 cases or 17% 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 - 41 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.

2020 COVID-19

In response to COVID-19, CAMVAP suspended all operations where travel was required by the arbitrator, manufacturer, technical inspector and consumer. Technical inspections and in-person hearings were suspended for approximately 150 days between March and September 2020. COVID-19 related delays during this time frame impacted approximately 95 cases.

2020 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 50 cases or 38% of the 124 Arbitrated and 8 Consent cases (132 cases in total) completed in 2020 where an eligibility hearing was held. Of the cases with eligibility hearings conducted as part of the process, 68% were found to be eligible to proceed to a hearing on the merits and 32% were found not eligible for CAMVAP (90 eligibility hearings, 61 claims approved, 29 ineligible). The eligibility hearing process took 23 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.

2020 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 41 cases or 31% of the 124 Arbitrated and 8 Consent cases (132 cases in total) completed in 2020 where 1 or more technical inspections were completed. The technical inspection process took 75 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
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.

