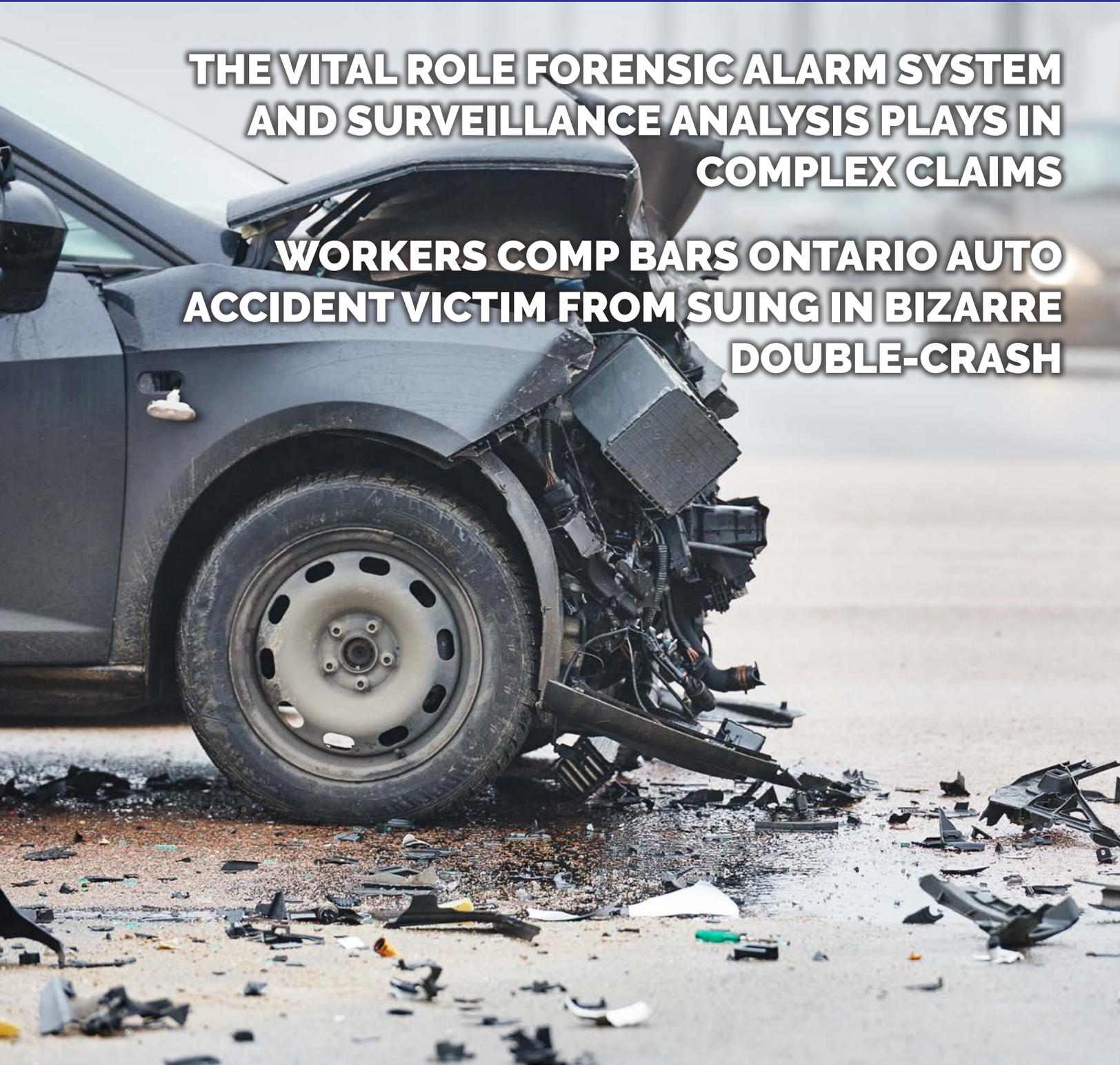




JUNE 2018

**THE VITAL ROLE FORENSIC ALARM SYSTEM
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COMPLEX CLAIMS**

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OVAA Newsletter

Publication Deadlines

If you have a submission for the newsletter, please advise the editor ASAP so space can be reserved. The actual submission content (articles, advertising changes, etc.) must then be received by the following dates:

Newsletter Issue	Submission Deadline
July 2018	June 15, 2018

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THE VITAL ROLE FORENSIC ALARM SYSTEM AND SURVEILLANCE ANALYSIS PLAYS IN COMPLEX CLAIMS

WRITTEN BY MAZEN HABASH



The Client: One of North America's Leading Property and Casualty Insurance Companies

Offering a wide range of personal, commercial and surety products, this prominent insurer provides innovative solutions and claims services to its clients and partners from coast-to-coast.

CHALLENGE #1: Determining the cause of a residential fire with multiple origins

The insurer was called to the scene of a residential fire that caused significant property damage. After the house was released by the authorities and local fire marshal, the insurance company initiated their investigation into the cause of the fire.

Immediately, the assigned adjuster could see that the front door of the house had been forced open. He could also smell gasoline in the air. However, given the extent of the fire damage, he was uncertain as to how the fire started. The adjuster noted, "I could smell gasoline, but needed verification of its presence at the scene. It was not perfectly clear. We needed a well-seasoned, qualified expert to complete a forensic investigation, who would also be able to give a reliable testimony, should the incident go to court."

Based on the distinct needs of this file, Mazen Habash, of Origin and Cause, was identified as the most qualified expert for this complex claim.

SOLUTION #1: Origin and Cause's Kg Unit

Origin and Cause is known to have a multitude of unique investigative tools on hand and in-house. As the first in Canada to have a Kg Unit for accelerant investigations, they dispatched their unit to determine if there was any presence of accelerants at the scene. Upon his arrival Smoke, the accelerant detection dog, indicated several areas with a presence of an accelerant.

The Origin and Cause investigator collected samples and sent them to a third party lab to complete a thorough chemical analysis. All samples tested positive for gasoline.

CHALLENGE #2: Unmonitored alarm system and video surveillance

Upon arriving at the scene, the insurer's adjuster noticed the residence was protected by a security alarm system and had multiple security cameras and a digital video recorder (DVR). "Throughout our investigation, the owners told us the cameras had not been fully setup and were not monitored or recorded. They were only used to identify who was at the front door of the property."

The authorities believed the homeowners and saw the alarm system as well as the security cameras as dead ends. The adjuster wanted to be certain.

Continued on page 7 >



President's Pen & REP'S Ramblings

June is finally here and summer is just around the corner. I hope everyone is enjoying the nice hot weather. It took awhile to get here but now nothing but blue skies, sunny days and a nice warm breeze in the evenings. I am loving it!! I am very much a sun person. The end of another school year is fast approaching and the start of summer vacation. Our world as we know it is about to change for the next couple of months... good bye to our regular routines and hello to the kaos known as summer vacation lol!! I am sure every one is getting ready for a much needed holiday over the summer months. Let's hope the weather cooperates... fingers crossed

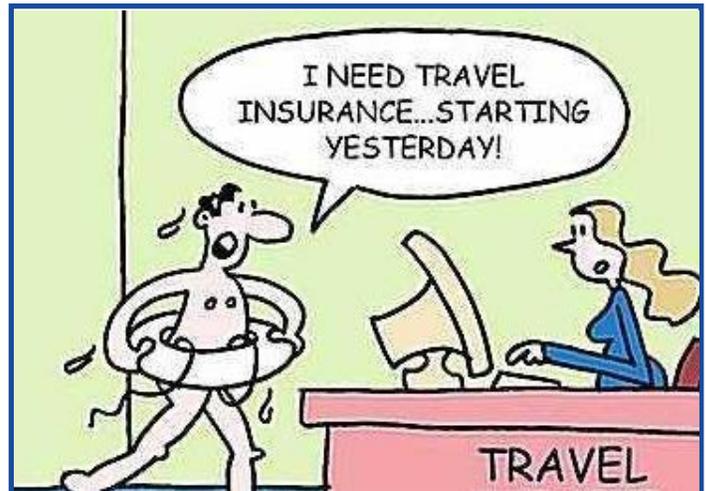
Our 46th Annual Golf Tournament will be held on the 19th of July at the Meadows Golf and Country Club. Registrations are coming in fast and furious and we are well on our way once again to another sell out thanks to everyone's continued support. Our luncheon seminars will begin again in September. Keep an eye on our website for details on the topics that we will be presenting and the dates. We will have a new venue as well. Details to follow soon.

The OIAA Changeover took place on the 16th of June. Jennifer Graham finished her year as President and Michael McLeod is the new incoming President. The new term will commence in August with the September Kick Off being the first event of the new term. This event will take place on September 19th at the Toronto Aquarium. I can't wait. It's such an amazing venue for this event. Please go to the OIAA website to see the events, dates and venues for the new term.

Wishing everyone a safe and happy summer!!

Take care. See you soon.

Cindy Bridge, CIP, CRM
OVA President/Ottawa Delegate



If you have an article that will **Enlighten, Educate or Entertain,** kindly contact a member of the OVA Executive (See page 1 for Contact Info) for submission guidelines and publication deadlines.



Ottawa Valley Adjusters Association

Calendar of Upcoming Events

July 2018						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 2018						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

July 19 – Golf tournament



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THE VITAL ROLE FORENSIC ALARM SYSTEM AND SURVEILLANCE ANALYSIS PLAYS IN COMPLEX CLAIMS

WRITTEN BY MAZEN HABASH

SOLUTION #2: One experienced forensic engineer, three different areas of expertise

Many Origin and Cause forensic engineers and investigators have become well known in the industry as the go-to experts for very complex losses. Based on the circumstances of this loss, the client requested one in particular—Mazen Habash.

Mazen Habash has a background in electrical engineering and conducts structure and equipment fire investigations. He is also an expert in alarm systems and video surveillance equipment. As the client stated, "His specialties were a perfect fit to the needs of this investigation."

Mazen confirmed that while the security alarm system was not being monitored, he was confident

that he would be able to extract video footage from the surveillance camera system. The adjuster's instinct to investigate further was right and extremely worthwhile. Many would disregard the DVR after learning it was unmonitored, but a trained individual knows that even if it is unmonitored, it could still be recording and have valuable data to extract. "I knew the event could have been recorded on video. I needed to retrieve the footage quickly," said Habash.

Unbeknownst to the owner, the DVR was capturing video footage and data. Upon extracting and analyzing the footage, Habash was able to see an individual purposefully kicking in the front door and suspiciously entering and exiting the home multiple times, ultimately igniting the fire while standing at the front door.

Continued on page 9 >



CONSTRUCTION COMPANY FOUND GUILTY IN ACCIDENT

WRITTEN BY LYLE ADRIANO

A provincial court judge has ruled that Aecon Construction is guilty of a workplace safety violation, in relation to an accident in 2013 that left a worker with a debilitating spinal injury.

On September 09, 2013, a steel beam fell on Chris Conrod, an employee of Economy Glass, who was assigned to one of Dalhousie University's construction projects. The beam struck Conrod in the back, causing major spinal cord injury – he now has to use a wheelchair due to the severity of the damage.

According to evidence at the trial, subcontractor McCarthy's Roofing had made two requests through Aecon to have another subcontractor responsible for a swing stage to move the outrigger – of which the steel beam was a part; McCarthy's submitted the request so that it could begin working on the roofing. When the equipment was found untouched the morning of September 07, 2013, an employee of McCarthy's took apart the swing stage without permission from the subcontractor responsible, it was alleged. It was also stated that the employee lacked training in the proper disassembly of such equipment.

At the end of the day, the foreman returned the outrigger to its original position, but did not reassemble parts of the equipment, it was stated, and the foreman also submitted a job assessment risk review card later that day saying that there were no potential hazards remaining at the worksite.

The evidence also revealed that an Aecon supervisor supposedly failed to check the roof after the outrigger was refitted.

Judge Gregory Lenehan gave his decision earlier this week on the case, saying that the company failed

to take every reasonable precaution to ensure the health and safety of an individual at the workplace. "[Aecon] does not escape responsibility by arguing that it was not its equipment that was handled improperly or that such apparatus was not under its control. The entire project site was... under the control of Aecon as a constructor on site. The oversight of health and safety practices on the project was one of the key responsibilities in Aecon's contract with Dal," the judge ruled.

"Obviously the Crown is very happy with the decision," senior Crown attorney Alex Keaveny told CBC News in an email. "Not only did Judge Lenehan find Aecon guilty, his discussion of the many issues raised will provide useful guidance in future cases on a variety of issues."

Lenehan had also denied a defense request to delay the proceedings due to lost Crown evidence, The Chronicle Herald reported. The judge reasoned that the missing material did not result in any real prejudice to the construction company's capability to defend itself.

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THE VITAL ROLE FORENSIC ALARM SYSTEM AND SURVEILLANCE ANALYSIS PLAYS IN COMPLEX CLAIMS

WRITTEN BY MAZEN HABASH

The arson was caught on video, and the perpetrator was irrefutably identified. Because of the expertise and diligence of Origin and Cause, the video surveillance was analyzed and proved to be the key in determining the actual origin and cause of this incident.

IMPACT:

Arson proven.

Claim denied.

Justice served.

"In complex claims, our role as an insurer is to identify the most qualified experts to complete an investigation to determine the origin and the cause of the incident," stated the client. "Mazen Habash of Origin and Cause is known in the industry to be thorough and experienced—that is why he was our top choice. We trust his high technical standard and his high level of integrity."

Origin and Cause has built a reputation of being diligent, systematic and reliable. The client's legal representation also stated that Origin and Cause's reputation in court was another key deciding factor. When a case involves arson or other criminal acts, his first concern is how the expert and his or her testimony will hold up in court. The insurer's lawyer found Origin and Cause forensic experts to be extremely professional and reliable witnesses. In his final statement, the client expressed,

"We never take chances with our cases. We always choose the best and that is why we call Origin and Cause. They are invaluable to our organization and our focus to indemnify our insureds."

BENEFITS: Why this client works with Origin and Cause:

Extremely professional

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Fast response time and reporting

Advanced technical knowledge

Unwavering integrity

A wide range of in-house tools and investigative forensic experts



WORKERS COMP BARS ONTARIO AUTO ACCIDENT VICTIM FROM SUING IN BIZARRE DOUBLE-CRASH

WRITTEN BY GREG MECKBACH

In an auto accident claim involving back-to-back crashes, a woman who lost both her legs after being hit by a car is barred from suing the driver because the car that had carried her to the scene of the accident was driven by her employer.

"The circumstances of this particular case are unique, if not exceptional," Ontario Superior Court Justice Graeme Mew noted in his ruling in *Heft v. Marrocco*, released Monday

In December 2010, Santanna Marrocco was involved in two collisions in less than an hour north of Toronto. In the first collision, she was a passenger in a car driven by Doris Brodie, her mother-in-law and employer. The car driven by Brodie collided with another vehicle in the Township of King. Marrocco was standing at the scene of the first collision when she was hit by a car driven by Stephen Heft. Her injuries included loss of both legs.

Many parties (including the municipality) were involved in multiple lawsuits that followed. Defendants included Brodie and the owner of Brodie's vehicle, TD Auto Finance Services Inc.

In the lawsuit against Brodie, Marrocco alleged that Brodie "had been at fault in the first collision and that the second collision, involving Mr. Heft, was connected to the first, such that Doris Brodie remained at least partially liable for the consequences of the second collision," Justice Mew wrote.

Ultimately, TD and Brodie succeeded in defending themselves on the grounds that Brodie was Marrocco's employer. Brodie and Marrocco had been delivering a floral arrangement to a customer

of Brodie's firm, Grand Entrance Designs.

Justice Mew's ruling in *Heft v. Marrocco*, released June 4, 2018, was on a cost award of \$5,000 to Brodie and TD Auto Finance, and not on the cause of the collision. Brodie and TD Auto Finance had asked for a cost award of nearly \$63,000.

Ontario's Workplace Safety and Insurance Act essentially protects employers being sued by employees for personal injuries resulting from accidents occurring in the course of employment. This is because employers are supposed to pay premiums for workers' compensation to the Workplace Safety Insurance Board, which is a no-fault system.

At the time of the 2010 collision, Brodie's business was not registered with WSIB, Justice Mew observed. But the following March, Brodie submitted a voluntary registration with WSIB, making the registration effective Jan. 2, 2010, or nearly a year before the accident.

"It is understandable that the plaintiffs should feel aggrieved at the prospect of having to pay costs," Justice Mew noted. "This is particularly so, as any award of costs will have to be paid out of the settlement funds obtained by the plaintiffs to provide for the medical, rehabilitation and other services and assistance" required by the accident victim.





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HOW TO PREPARE YOUR PROPERTY FOR SUMMER STORMS

You know it's going to happen. Every summer – whether stifling hot or cooler than usual – there's at least one summer storm with the potential to cause a heap of water damage to your property if you're not prepared. The good news is that the preparation required is neither difficult nor time-consuming, but it does need to be done now, before the inevitable deluge occurs. Here are five safeguards that will help prevent water from backing up and contributing to water damage around and in your home.

Clean gutters and downspouts. Blockages in gutters, downspouts and underground drain pipes will quickly back up and cause water to cascade down the side of your home or pond on your roof. Both situations can lead to rainwater penetrating inside your home.

Clear street storm drains of debris. No, it's not your job, but it's a good idea to remove debris blocking stormwater drains in the street adjacent to your house. You'll better protect your property from overflowing streets and flooded lawns that can cause seepage back into your basement and other low-lying areas.

Clean ground-level window wells. Most window wells have a drain for accumulated water. Leaves and debris blocking this drain can cause water to accumulate and press against basement windows until it seeps inside and floods basement areas. The same applies to below-ground doorways.

Make sure your sump pump is working. Pour water into your sump pump to make sure it operates correctly. Pumped water should always drain away from the house so that it does not flow back into the basement. Emergency battery backup is good protection should the electricity fail.

Allow natural drainage through your property. Nearby creeks, streams and overflow drainage areas naturally flow downgrade. Make sure your property is clear of any blockages that will cause excessive pooling and ponding that might flood your home.

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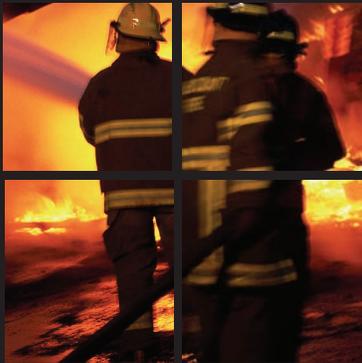
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