

# What Has Claims Seen Lately

## Real Estate Industry Practice

We take great pride in our claims handling responsibilities and over the years have built a name and a reputation for providing empathetic claims service in a fair and prompt manner.

As claims management has become increasingly complex, and lines of business more diverse, we continue to follow our original claims principle: treat each customer with empathy, promptness, expertise, fairness and integrity.

With over 6,200 Chubb claims professionals worldwide and over 100 across Canada, including an office in Montreal with a bilingual team, we have the technical and local knowledge to expertly handle any claim.

### Claim Scenario Details

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#### **Property Manager for Large Private and Public Building**

**Estimated Indemnity: \$5M primary, \$14M excess**

**Expense: \$650,000**

The Insured is contracted as the property manager for a number of public housing complexes. A fire at one of the locations resulted in significant property damage to the building, displacement of many of the tenants, as well as claims for bodily injury and property damage to their belongings. The tenants commenced a class action against the Insured and various other defendants. A lawsuit for the property damage to the building was commenced by the property insurer also. The suits allege the Insured failed in their duty to address fire issues and conduct follow up inspections. Due to the extent of damages, many layers of insurance coverage were impacted. The claims resolved by settlement prior to trial after extensive investigation and discovery.

#### **Property Manager for a Commercial Building**

**Estimated Indemnity: \$250,000**

 **Expense: \$50,000**

The Insured was the property manager at a commercial building in another country with no local admitted policy. The loss occurred in 2012, but the action against the Insured did not commence until 8 years later in 2020. The limitation period in this particular jurisdiction is 6 years, however, they have recently allowed a matter that was 14 years old to proceed. In this case, the plaintiff was able to prove that he had started the worker compensation action within the limitation period and this in turn caused the limitation period to be stayed. The matter settled just prior to trial commencing.

#### **Property Medical Retail**

**Estimated Indemnity: \$1M**

**Expense: \$100,000**

The Insured was a commercial tenant in the medical sector. There had been an issue with their checkout system, and they believed it to be related to the server which was located in the basement which is accessed through a trap door in the middle of the retail store. The staff attempted to fix the issue but left the store open to customers when doing so. One of the staff was to be watching the area, but instead decided to stock the nearby shelves and a customer fell down the open trap door approximately 20' onto the concrete floor. The trap door was flush to the floor and not overly visible and located in between aisles. The plaintiff sustained several fractures throughout her body and required significant surgeries, hospitalization, and ongoing care. This matter resolved at mediation, in which we paid out our policy limits and the third party excess carrier also contributed towards settlement.

### Contact Us

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For more information on Chubb insurance solutions, contact your local broker or visit [www.chubb.com/ca](http://www.chubb.com/ca).

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