



## **POLICY ON COMPLAINTS HANDLING PROCEDURES**

### **1. Complaints Handling – Effectiveness, Efficiency and Accountability**

This Policy sets out the procedures that apply to FCT Insurance Company Ltd., First American Title Insurance Company, First Canadian Title Company Limited and their affiliated companies in Canada where applicable (collectively, “FCT”).

FCT senior management supports the procedures set forth in this Policy. FCT senior management will:

- appoint the Complaints Officer;
- provide support for the resources necessary to ensure that the Complaints Officer is adequately trained and has the necessary authority to resolve or recommend resolutions to complaints where possible; and
- endorse measures to support (i) broad company wide training so that employees are familiar with these procedures; and (ii) implementation of methods to facilitate analysis of historical information, in order to track compliance issues and/or identify potential compliance risks.

FCT is committed to dealing with and resolving complaints in a timely manner. The Complaints Handling Procedures are set forth below. FCT is expected to inform complainants about these procedures, to keep complainants current about the status of their complaints at specific points during the complaint-handling process and to identify and highlight circumstances in which an extension of the timeline may be warranted.

### **2. What constitutes a complaint?**

For the purpose of this policy, a complaint is the expression of at least one of the following three elements:

- A reproach against FCT;
- The identification of real or potential harm that a complainant has sustained or may sustain; or
- A request for remedial action.

Informal steps to correct a specific problem will not be considered as a complaint, provided the problem is resolved as part of FCT’s normal business activities and the consumer has not registered a formal complaint.

### **3. Complaints Handling Procedures:**

- i. A party may make a complaint in writing, in person, by email or by telephone. The party making the complaint (the “complainant”) shall first contact the person with whom he or she had the interaction that gave rise to the complaint. It is suggested that as much information as possible be supplied, including supporting documentation. If FCT does not have all of the necessary information that it needs then this will impact the complaint process. At each step, the FCT employee will acknowledge receipt of the complaint.
- ii. If the complaint remains unresolved, the person named in #1 above shall inform his/her immediate manager (the “Manager”). The Manager shall attempt to resolve the complaint.
- iii. If the complaint remains unresolved, the Manager shall offer to escalate the matter to the Complaints Officer. Alternatively, the complainant may contact the Complaints Officer directly (contact information in section 4 below). The role of the Complaints Officer is also set forth below.
- iv. The Complaints Officer shall create a separate file for each complaint. The file must contain the following:
  - The written complaint and its three elements (the reproach against the registrant, the real or potential harm and the requested remedial action);
  - The outcome of the complaint examination process (the analysis and supporting documents); and
  - The final written response to the complainant with justifying reasons.
- v. Within ten (10) days after a complaint is registered in the complaints register, the Complaints Officer must send the complainant a notice stating the complaint registration date and the complainant’s right to have the complaint record examined as outlined in Section 3(vi) below.
- vi. Within ninety (90) days or less when possible, following receipt of all of the applicable information and documentation relevant to the complaint at the second level of complaint handling, the complainant shall be provided with a substantive written response (if the complainant prefers this can be by way of email) to his or her complaint that includes, at a minimum:
  - FCT’s final decision/offer in response to the complaint, including appropriate details and explanations regarding how the final decision was reached; and
  - the complainant’s right to escalate the complaint (to those bodies noted in section 4 below of which FCT is a member) upon receipt of FCT’s final decision, if the complaint has not been resolved to the complainant’s satisfaction or if the complaint has not been dealt with within the above said ninety (90) days. If FCT takes longer than the said ninety (90) days the complainant shall have the right to escalate the matter to the said bodies and FCT shall advise the complainant of such right.

- vii. If the complaint remains unresolved, the complainant shall be advised how to contact the organizations referred to in section 4 below.

#### **4. Role of Complaints Officer and Contacts**

The role of the Complaints Officer is to provide a forum for our customers and other parties to voice concerns following interactions with our employees. These concerns could range from the manner in which they were addressed to the handling of insurance claims, including denials.

The Complaints Officer will assess whether the correct internal process was adhered to, ensure that the party lodging the complaint has been given every opportunity to be fully and fairly heard and provide a written response setting out his/her findings. The Complaints Officer shall have discretion to refer the matter back (with recommendations if he/she so chooses) to either the first FCT employee that had an interaction with the complainant or to that employees Manager.

#### **Contact Person:**

Complaints Officer:  
Rob Budhwa  
Complaints Officer  
2235 Sheridan Garden Drive  
Oakville, Ontario, L6J 7Y5

[complaints@fct.ca](mailto:complaints@fct.ca)  
tel: 905.287.3161  
fax: 905.287.2400

The General Insurance OmbudService (a third party dispute resolution organization) 1 877 225 0446 or the complainant can also complete an online Complaint Form, the link to which is as follows:

[http://www.giocanada.org/complaint\\_form.html](http://www.giocanada.org/complaint_form.html)

Or the customer may also contact the Financial Consumer Agency of Canada (“FCAC”) at:

Financial Consumer Agency of Canada  
427 Laurier Avenue West, 6<sup>th</sup> Floor  
Ottawa ON K1R 1B9

Tel: 1-866-461-3222  
Fax: 1-866-814-2224

In the province of Quebec, if a complainant is not satisfied with the outcome or with the examination of the complaint, he may ask FCT, at any time, to transfer the file to the Autorité des marchés financiers (hereafter referred as the «AMF»). The AMF can be contacted at one of the following locations:

**Québec**

Place de la Cité, tour Cominar  
2640, boulevard Laurier, bureau 400  
Québec (Québec) G1V 5C1  
Telephone: 418 525-0337  
Fax: 418 525-9512

**Montréal**

800, square Victoria, 22<sup>e</sup> étage  
C.P. 246, tour de la Bourse  
Montréal (Québec) H4Z 1G3  
Telephone: 514 395-0337  
Fax: 514 873-3090

**Toll Free: 1 877 525-0337**

## 5. Complaints Reporting Procedure:

FCT reports to certain entities with respect to reportable complaints (based on applicable legislation) pursuant to the terms of the attached Schedule entitled “Complaints Reporting Procedure”, as such Schedule may be updated from time to time.

Revision History – Complaints Handling Procedures - Approved Changes:

Policy Date	Approved by	Change Summary
March 9, 2005	BOD	Policy adopted
August 11, 2008	BOD	No changes
August 14, 2009	BOD	Reporting function added
August 7, 2010	BOD	Reporting function updated
August 10, 2010	Corporate Secretariat	“FCT” Logo
August 22, 2011	BOD	No changes
January, 2012		Added “reporting procedures” section and schedule
May 8, 2013	Legal	Amendments to Policy
August 1, 2013	BOD	BOD approved changes to Policy by Legal
July 28, 2014	BOD	Minor change Yearly review of policy has been amended to bi-annual review starting in 2015
July 30, 2015	BOD	No changes
April 26, 2016	BOD	No changes
March 8 <sup>th</sup> 2017	Legal	Change to include contact information for the AMF
May 8, 2017	BOD	No changes
January 15, 2018	Legal	Change to update Complaints Officer
May 1, 2018	BOD	Approved policy change above
March 22, 2019	Legal	Change to update Complaints Officer
April 30, 2019	BOD	Approved policy change above
February 18, 2020	Legal	Revision to the policy to comply with the new Quebec Insurer’s Act

## **COMPLAINTS REPORTING PROCEDURES SCHEDULE**

FCT reports to the following entities with respect to complaints:

1. FCAC on a quarterly basis;
2. AMF on a semi-annual basis;
3. Participating Authorities for the Rest of Canada (PARC) on a semi-annual basis; and
4. Financial Services Commission of Ontario (FSCO) on a semi-annual basis.