

The Corporation of the
MUNICIPALITY OF TWEED

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March 10, 2021

Hon. Doug Ford
 Premier of Ontario
 Legislative Building
 Queen's Park
 Toronto, ON
 M7A 1A1

Re: Advocacy for Reform of Joint and Several Liability

Dear Hon. Doug Ford,

During our budget deliberations and the review of the pricing for insurance for the 2021 year, Council is requesting that reform of the Joint and Several Liability system be undertaken. For the Municipality of Tweed, a small municipality within the County of Hastings, with population of 6,044 and total households of 3,023, as at the last census in 2016, we are experiencing significant increasing costs of insurance.

Over the last 5 years, we have experienced increase in our insurance premiums due to Joint and Several Liability. Our last 5 years of insurance premiums have been:

2017	\$161,441.84
2018	\$164,497.28
2019	\$171,649.20
2020	\$213,466.36
2021	\$265,170.24

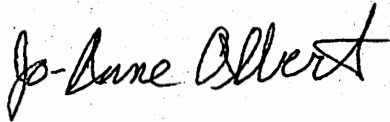
Over the last 5 years, the annual premium has increased by \$103,728.40. That is 64.25%. For the Municipality of Tweed, the 2021 increase of \$51,703.88 results in a tax levy increase of 1.25%. Therefore, when Council wishes to keep the levy no higher than a 2% increase, especially under the financial times that residents have experienced due to the COVID-19 pandemic, more than half of this increase is allocated to insurance premiums. For a population of only 6,044, the annual cost of insurance per household is \$87.72 in 2021, compared to only \$53.41 in 2017.

This phenomenon is not unique to the Municipality of Tweed, nor is this a new concern. In 2010, the Association of Municipalities of Ontario (AMO) submitted *The Case for Joint and Several Liability Reform in Ontario* on April 1, 2010 (copy can be found at <https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Reports/2010/TheCaseforJointandSeveralLiabilityReforminOntario20100401.pdf>).

Because many view municipalities as having "deep pockets", they are often funding a larger portion of awards from court than what the fault percentage is. However, these "deep pockets" are at the cost of every taxpayer within the Municipality.

The Municipality of Tweed is advocating for reform and reconsideration of the *Negligence Act, R.S.O. 1990, c N. 1* to provide for alternatives. Many alternatives were provided in the 2010 AMO report previously referenced, including, but not limited to, Joint and Severable Liability at a set percentage of fault or Joint and Severable Liability based on type of damage.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jo-Anne Albert", with a stylized flourish at the end.

Jo-Anne Albert
Mayor

cc. Hon. Steve Clark, Minister of Municipal Affairs and Housing
All 444 Ontario Municipalities
Association of Municipalities of Ontario