**Letter to local MPP**

I am writing to you for help as a small business operator who provides the essential service of snow and ice removal locally to ***[businesses and residential]*** customers. ***[Provide a few details on your business – e.g. where you are, if you have employees or are you a sole operator, how long you have been in business.]***

The help I need is to stop the out of control escalation of insurance prices for snow and ice contractors and in some cases the lack of insurance availability. This year alone my costs for insurance rose from ***[$XXX.XX to $XXXX.XX]*** because of the high prevalence of slip and fall claims (many that are frivolous/nuisance claims) against all contractors in the sector. My deductible for each claim also increased
***[$XXX]***. ***[State the impact on your business and cite your own experience and/or what you have heard from others.]***

The solution is not simple and requires legislative change. We need you to help us fight for the following amendments so that we can continue to provide essential high-quality snow and ice removal services in Ontario.

1. Pass Bill 118, Norm Miller’s Private Members Bill immediately limiting the time to sue a
 contractor for a slip and fall claim to 10 days (consistent with municipalities) The Bill:

 - Will limit the number of frivolous claims filed.

 - Will limit the unknown risk premium for incurred but not reported claims to an insurance
 company that exists because claims can be filed for 2 years.

 - Keeps the ability to sue after 10 days if the contractor has been negligent or there is
 another factor that prohibited filing within the 10-day window.

2. Ban “Hold Harmless” clauses in contracts that push all liability to contractors when it is outside the terms of the contract. “Hold Harmless” clauses unfairly pushes all liability to the contractor. This legislation is in place in several U.S. states including Denver, Illinois and Connecticut. It will help reduce the cost of claims for landscapers and the cost to the insurance company to pay for claims.

3. Define the duty of care for proper snow and ice property maintenance through a best practices certification administered by the sector and restrict the ability to take legal action if best practices are being followed. This proposal is based on a successful model in New Hampshire. The program clearly defines the responsibility of contractors and property owners. The program will also help reduce over salting and is supported by the Ontario Freshwater Roundtable which includes representatives from environmental groups, contractors and property owners.

Landscape Ontario, our provincial trade association, is also working on a captive insurance solution that will allow us to get the insurance company to fight more claims on behalf of policy holders. Right now, the cost benefit of fighting — even when the property is maintained perfectly, favours settling the claim verses going to court.

I hope you will see the importance of keeping all of Ontario’s snow and ice removal service providers in business and operating at full capacity as winter approaches.

The landscape industry sincerely appreciated the government helping to get our sector working safely again after the shutdown resulting from the pandemic. Addressing the insurance issues would help protect our businesses from unfair insurance costs in this important year.

 Sincerely,

 ***[Your name here]***