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Claims Examples

Errors and Omissions Immigration Consultants

Failure to Submit Residency Application

The insured immigration consultant was retained to file an application for permanent residency. The application was never received by Citizenship and Immigration Canada (CIC). The client commenced a claim for \$25,000 against the insured immigration consultant, alleging he was negligent in his handling of the application. ENCON retained a lawyer to defend the insured immigration consultant. It was determined that the client was unable to provide sufficient evidence of the insured consultant's negligence. ENCON moved for a dismissal which was granted by the court. ENCON paid \$20,000 in legal costs. The insured paid his deductible of \$500 towards legal costs.

Failure to Submit New Mandatory Documents

The insured immigration consultant was retained to assist in extending work permits and obtaining Employer Sponsorship for two clients. The applications were rejected by Citizenship and Immigration Canada (CIC) for failure to submit new mandatory documents. The applications were resubmitted by the insured immigration consultant with the missing documentation. The clients were not permitted to work for a few months, resulting in a claim of \$36,000 for loss of income against the insured immigration consultant. A lawyer was retained to defend. ENCON reached a favourable settlement, which cannot be disclosed; and paid \$9,000 in legal costs. The insured immigration consultant paid her deductible of \$500 towards legal costs.

Work Permit Suspended

The insured immigration consultant filed an online work permit extension on behalf of a client but failed to submit additional documentation within the specified time frame. As a result, the client's work permit was not extended and the client was forced to apply for the restoration of his work status. During the lengthy restoration process, the client was not permitted to work, resulting in a claim of \$20,000 for loss of income against the immigration consultant. ENCON retained an adjuster to investigate. In order to prevent further losses, ENCON agreed to pay the client's monthly income until his work status could be restored. ENCON paid \$5,000 in defence costs. The insured immigration consultant paid his deductible of \$500 towards legal costs.

These Claims Examples are for illustrative purposes only. Please remember that only the insurance policy can give actual terms, coverage, amounts, conditions and exclusions.