

Standard Claim

A Standard Claim is a claim for travel services that were paid for but not provided as a result of the failure of an Ontario registered travel agency, an Ontario registered travel wholesaler (tour operator) or an airline or cruise line. The following conditions apply:

1. You must have purchased your travel services from an Ontario registered travel agency. Whether your travel purchase was in person, over the telephone and/or over the Internet, always ensure the company you purchase your travel services from is registered with TICO.
2. You have not received the travel services purchased due to the bankruptcy or insolvency of either:
 - An Ontario registered travel retailer (travel agency)
 - An Ontario registered travel wholesaler (tour operator)
 - An airline
 - A cruise line

*Please note - the claim filing deadline for a Standard Claim is **six months** from the date of the failure.

Useful Information about Standard Claims:

What is the eligible claim amount based on for a Standard Claim?

The Compensation Fund only reimburses the amount paid for the original travel services purchased from an Ontario registered travel retailer and not provided due to the bankruptcy or insolvency of either a registered Ontario travel retailer or a registered Ontario travel wholesaler or due to the failure of an airline or cruise line. The Compensation Fund does not reimburse consumers for the cost of the replacement (new) travel services purchased.

What is NOT covered for a Standard Claim?

To be eligible, a claim on the Fund must relate to the non-provision of travel services purchased from an Ontario registered travel retailer and not provided due to the bankruptcy or insolvency of either a registered Ontario travel retailer or a registered Ontario travel wholesaler or due to the failure of an airline or cruise line.

The following is a list of some of the areas that are not covered by the Compensation Fund:

- A claim based on the cost, value or quality of the travel services or alternate travel services.

- Insurance premiums
- Payments for travel services, which are not received due to the failure of an out-of-province travel wholesaler (tour operator) or out-of-province travel agency.
- Counselling fees paid to a travel agency.
- Travel services received as a prize, award or goodwill gesture.
- Travel services that were available to be received but that were not received because of an act or failure to act on the part of the customer or of another person for whom the travel services were purchased.
- Travel services that were obtained with a voucher, certificate, coupon or similar document that the consumer did not pay for.
- Travel services that the consumer did not pay for with cash, or by cheque, credit card or other similar payment method. (i.e. air miles and/or points are not eligible for reimbursement).
- Consequential or indirect damages incurred as a result of the failure to provide the travel services.

Claim Filing Deadline

Standard claims must be filed within 6 months after the relevant TICO registered travel retailer, TICO registered travel wholesaler or airline or cruise line becomes bankrupt or insolvent or ceases to carry on business.

Maximum Legislated Claim Amount Per Person

Payments out of the Fund are limited to a maximum of \$5,000 per person.

Maximum Legislated Amount for Payments per Event

The maximum amount that may be paid from the Compensation Fund for eligible claims arising out of an event (i.e. as a result of a failure of an Ontario travel retailer, Ontario travel wholesaler, airline or cruise line) is \$ 7 million as follows:

- **Standard Claims -** The maximum amount that may be paid from the Compensation Fund with respect to all standard claims (imminent departures) arising out of an event is \$5 million.
- **Trip Completion Claims -** The maximum amount that may be paid from the Compensation Fund with respect to all trip completion claims (repatriation) arising out of an event is \$2 million.

Pro-rated Payment of Claims

Should the \$2 million maximum not be sufficient for the trip completion payments required in the case of a particular event, TICO may make additional payments from the Compensation Fund for trip completion (repatriation) that shall not exceed the \$5 million maximum reserved for standard claims as a result of the same event.

Therefore, should the total value of claims surpass the legislated maximum payment from the Compensation Fund, it will be necessary to pro-rate the payment for eligible claims.

Appeal Process

In the event that the Board of Directors denies a claim, claimants are advised that they have the right to appeal the Board's decision and request a hearing before the Licence Appeal Tribunal. You will be notified in writing of the Board's decision. Section 71 of Ontario Regulation 26/05 entitles you to a hearing by the [Licence Appeal Tribunal \(LAT\)](#) with respect to the ineligible amount. Instructions on how to file an appeal with LAT is provided to claimants with TICO's written notice of the Board's decision. There is a \$100.00 fee payable to the Minister of Finance that must accompany your notice of appeal.