

Final Argument

In my opinion ICBC sought appropriate and sufficient remedy for dealing with the Covid 19 situation when they asked for authority to refund cancellation fees and plate fees to owners like me who wanted to go into quarantine. However, not one single person in ICBC management thought of proposing that the *regulatory permission for the refunds be sought - not only as soon as possible after they thought of it - but also ask in that application that it apply retroactively to the date the emergency was declared.* Well, knock me over with a feather. It not only didn't occur to any of them that the relief should logically start the same date as the emergency was declared, to this day they dismissively say they can't do anything about it.

Competent managers know that no large organization is perfect- so they put safety provisions in place to deal with unexpected and unforeseen problems. Sometimes they reserve the authority to change policy retroactively by decree or ammendment or by special authority or on a case by case basis, and when necessary, they always seek beforehand any necessary legal authority that may be required to safeguard those various means of keeping some flexibility when things go wrong or unforeseen emergencies arise. When we make hard and fast laws we appoint judges to smooth over the flaws in the laws. I don't want to flog this fact too many times, but of course this time the unforeen problem is that not one single person in all the ICBC senior management realized that it was just simple common sense to petition for the beginning date of the relief measures to be the same date the emergency was declared. They thought up a good remedy, but they picked a completely non sensical late date for it to come into effect. They have been and still are totally unapologetic and dismissive of the idea they should now petition to retroactively correct their over-sight.

ICBC really expects me and the panel to *actually believe* it has been *and still is* too late for ICBC executives to correct their application mistake by asking for an ammendment to their application. This is equally insulting to me and the panel. I hope the panel won't tolerate the flagrant disrespect from ICBC. Instead of fessing up, ICBC persists in attempting to excuse themselves by continuing with

the same old simple minded time wasting insulting 'our hands are tied' flim flammery in their response to my questions in this proceeding. (I must confess that 'flim flammery' is also a good description of the questions asked by the other intervenors. I think it's pretty clear that the ICBC refunds response would have been satisfactory if they had picked the date the emergency was declared to be the date the response came into effect. Maybe those intervenors are getting paid by the word. Either way, I think they must be as an annoying irrelevant distraction to the panel as they are to me.)

Back to my argument. My story gets worse. I re-instated one of my scooter policies after Dr. Henry said we old people should get outside again while maintaining social distancing. Are you ready for this? ICBC picked a date long after that to say plate fees would be refunded to people who took the doctor's advice. I'm not kidding! Having reacted quickly to her advice for a second time, I don't get the cancellation fee OR the plate fee on the scooter because I acted too quickly for ICBC to keep up with current events. \$48. in total gone, and that's just for the scooter. Unless ICBC can be brought -albeit *retroactively*- into the world of real time common sense where people actually react daily to daily current events, I will also have forfeited the cancellation fee and licence fee on a car I also cancelled immediately after being asked by the health minister to do my part and to stay home. If I'd waited for ICBC to catch up to the health minister and me I'd have had to pay for another month of insurance I couldn't use on either vehicle so I couldn't win no matter what I did. Catch 22. (By- the bye, I kept a second car insured for emergencies only. Pure profit to ICBC.)

It isn't just the money. Or whether or not I'm poor. It's first and foremost by a long way, the lack of fairness and worse yet- the lack of will to even address the matter of fairness. Why isn't ICBC intervening **FOR** me on my behalf now that they know the facts? They haven't learned anything- that's why.

Just for fun, imagine what it would have felt like if the ICBC boss' office had written to me as follows:

"Thanks for telling us about this Roy. Your problem should have been passed up the line by the customer reps to our attention for early resolution and we

apologize that it wasn't. We've treated you unfairly, we're going to fix it, and we're glad you didn't catch the flu."

Wouldn't something like that have been nice?

Yours truly,

Roy Ennis