

SHILLINGTON
McCALL

LLP

LAWYERS

1500 – 148 Fullarton Street
London, ON N6A 5P3
www.shillingtonmccall.ca

INSURANCE LAW BULLETIN

January 2021 – Patrick Brennan

New Year, New Figures – 2021 Edition

[The information below is provided as a service by Shillington McCall LLP and is not intended to be legal advice. For additional information on the issues within, please contact the firm at (519) 645-7330.]

For January 2021, the Financial Services Regulatory Authority of Ontario (FSRAO) has released its latest statutory thresholds and deductible amounts for motor vehicle accident litigation adjusted for the latest inflation figures.

For motor vehicle accident tort actions, the following now apply:

- \$39,754.31 is the 2021 tort deductible amount for general damages awards;
- \$132,513.28 is the 2021 general damages threshold within which the above deductible amount will apply.

For *Family Law Act* (FLA) claimants in motor vehicle accident tort actions, the following now apply:

- \$19,877.16 is the 2021 tort deductible amount for FLA damage awards;
- \$66,256.09 is the 2021 FLA damages threshold within which the above deductible amount will apply.

The *Statutory Accident Benefits Schedule* (SABS) 2021 indexation percentage is 0.5%. The 2021 indexation percentage applies to named insureds, spouses of named insureds, dependants of any of these, and specified drivers, if the optional indexation benefit was purchased as well as to benefits that are required to be indexed pursuant to section 30 of the 2010 SABS in respect of insured persons who were involved in accidents on or after September 1, 2010.

When calculating damage awards or settlement amounts in auto accident context, the above deductibles, thresholds, and indexation are important to keep in mind.

As always, should you have any questions or concerns with the new 2021 indexation, please do not hesitate to contact our firm.

We are pleased to advise that we have become *Shillington McCall LLP* effective January 1, 2021. Our physical address, phone number and fax number remain unchanged.