

Tab 22

August 5, 2024
(see: pages 512 to 550)

Re: NOM #14 (additional evidence after the filing and serving of the hearing brief for **NOM #14** (Tabs 1 to 22))

Re #2: Pictures from August 4, 2024 of: (i) 304 The East Mall, 6th floor, Etobicoke, Toronto, Ontario, M9B 6B7 (the “**East Mall Address**”); and (ii) surrounding area of the **East Mall Address** (the “**East Mall Address Pictorial Evidence**”) (see: pages 512 to 547)

Re #3: Emails serving the following: (i) **SNIC**; and (ii) **TDHA**, with a copy of the **East Mall Address Pictorial Evidence** in said enumerated form for ease of reference (see: pages 548 to 550)

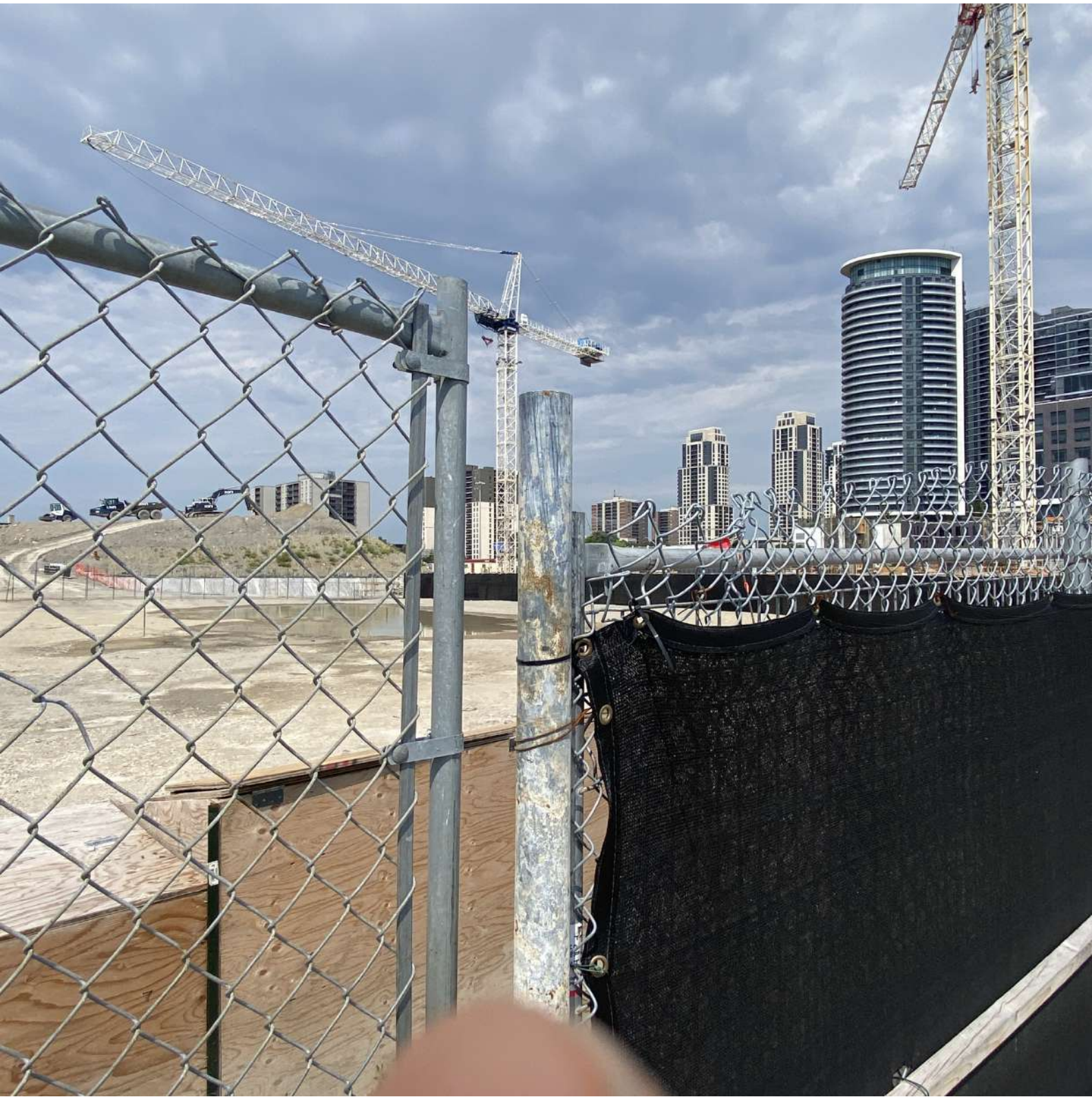
Re #4: unassailable evidence that the East Mall Address was only a physical address for TDHA (not SNIC). Unassailable external evidence and incontestable documentary evidence that TDHA was the **First Insurer** to receive the **Appellant’s Completed Application** along with multiple pieces of affirmatory evidence, in the HCAI portal tied to the Appellant’s TD Claim #3, that TDHA (although misnamed therein) was the **First Insurer**, absent any steps taken by it in accordance with Reg 283 to transfer, dispute and recover any paid *or* to be paid benefits to the claimant, by reference to the **East Mall Address** in OCF-18’s from 2023 to present



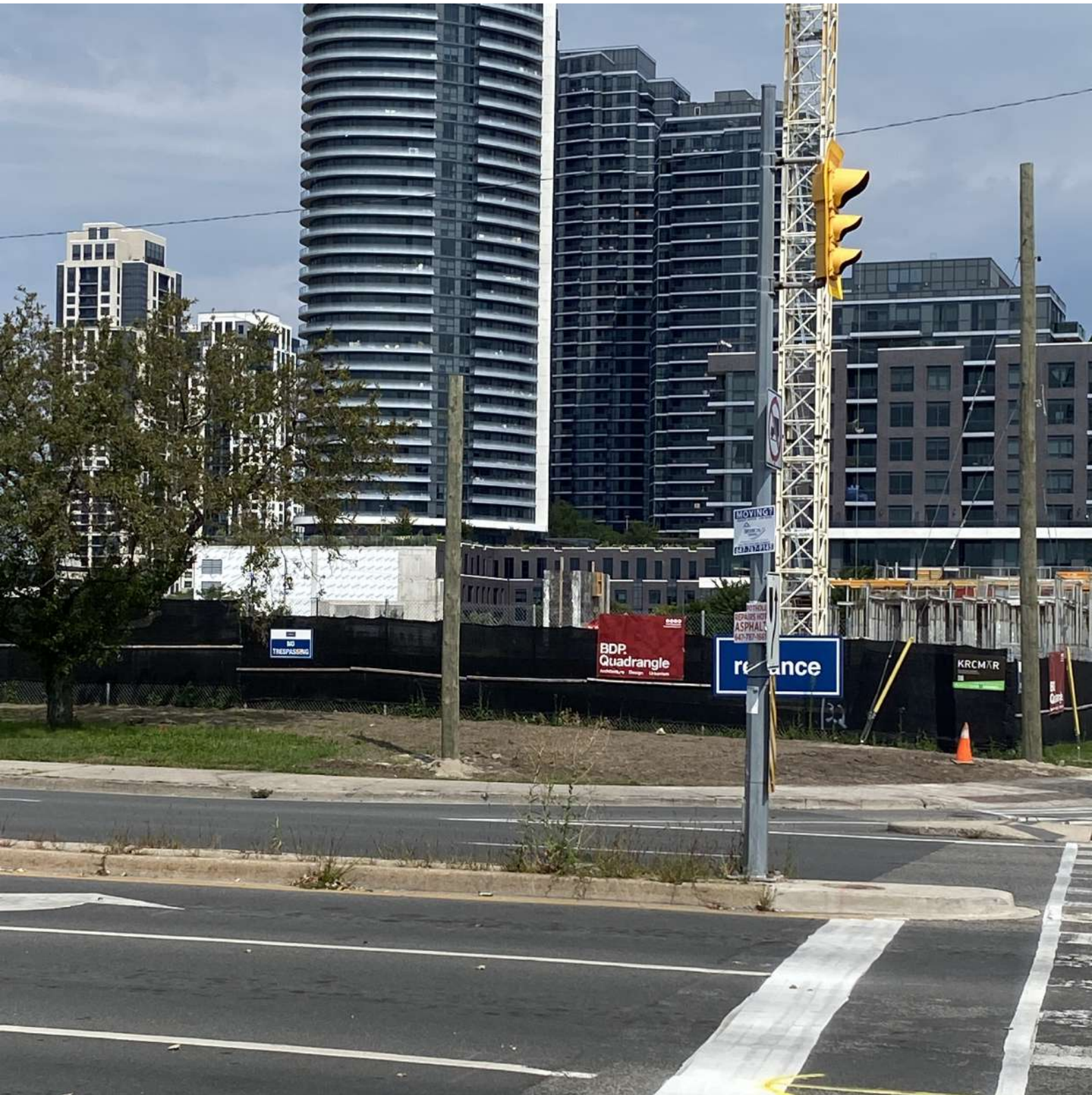






























The Toronto District School Board Welcomes You!



Every effort is made to accommodate students at local schools. Due to increasing enrolment, local schools may not have space for students from this address. If this is the case, students will be sent to other schools with available space. Students may be bussed until space becomes available locally.

For information, please scan the QR Code, visit <https://www.tdsb.on.ca/About-Us/Strategy-Planning/Managing-Enrolment-Growth-from-New-Residential-Developments> or call 416-394-7526.

Planning Department
Toronto District School Board























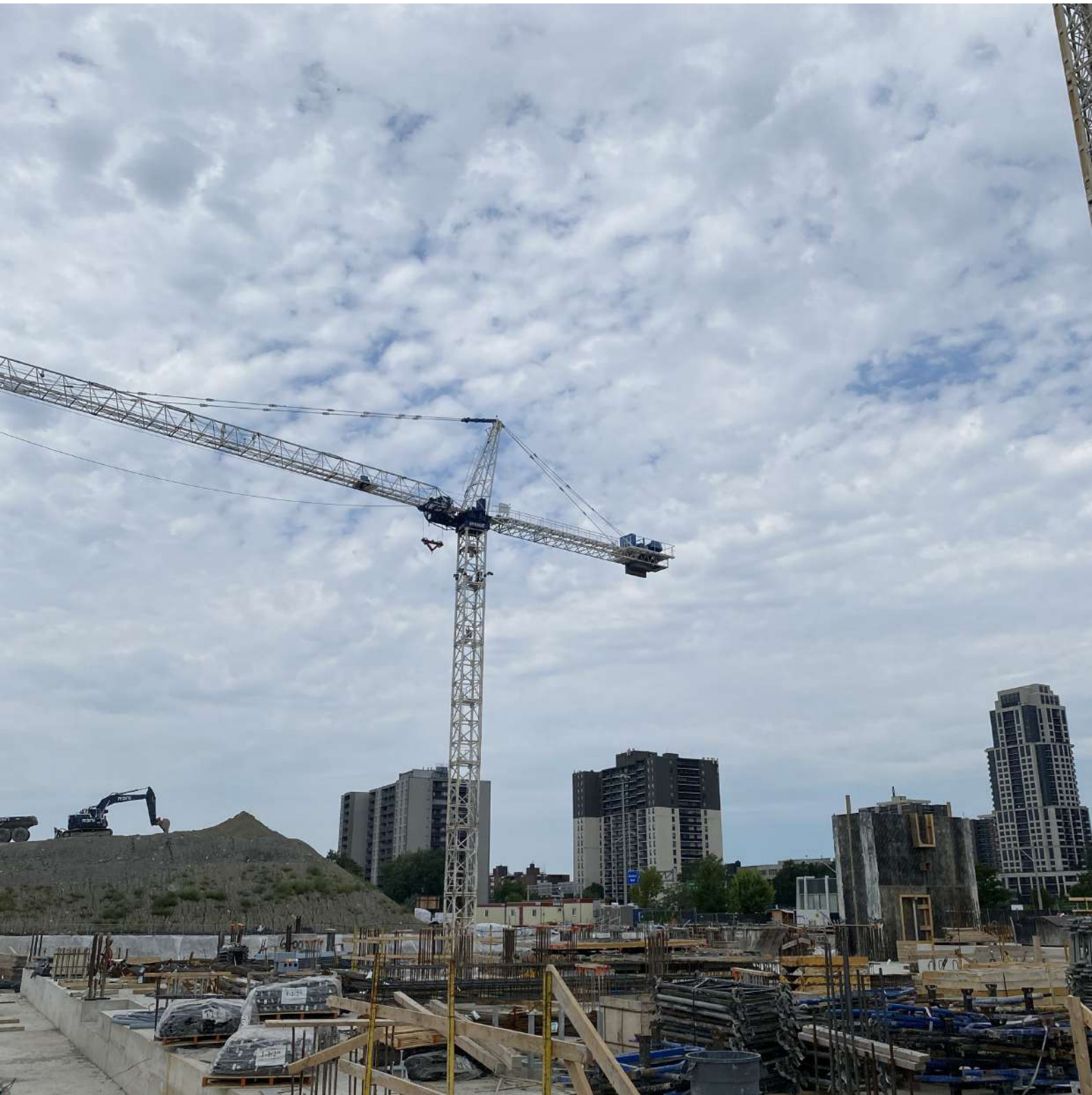




















Kevin McLean <mcleansniclat@gmail.com>

Pictures taken yesterday of the area around 304 The East Mall, Etobicoke, Toronto, Ontario, M9B 6B7 (the “Etobicoke East Mall Address” or “East Mall Address”)

2 messages

Kevin McLean <mcleansniclat@gmail.com>

Mon, Aug 5, 2024 at 11:38 AM

To: alisha.anne@tdinsurance.com, bev.michie@tdinsurance.com, "Persaud, Carol" <carol.persaud@tdinsurance.com>,

"Karat, David" <David.Karat@tdinsurance.com>, "Nieuwland, Matthew" <Matthew.Nieuwland@tdinsurance.com>

Cc: James.V.Russell@td.com

August 5, 2024

VIA Email

TO: (1)Security National Insurance Company (“SNIC”)
FSRA Registration Number #397

Attention:

The represented and known adjusters or claims advisors of SNIC as of today’s date

Attention:

The representatives for SNIC in LAT Proceeding 23-015662/AABS (the “**LAT Proceeding**”)**TO: (2)**TD Home And Auto Insurance Company (“**TDHA**” or “**TDHAIC**”)
FSRA Registration Number #1063Re: pictures taken yesterday of the area around 304 The East Mall, Etobicoke, Toronto, Ontario, M9B 6B7 (the “**Etobicoke East Mall Address**” or “**East Mall Address**”)Dear **SNIC** and **TDHA**:

1. I write regarding the above.
2. I attach copies of the pictures that were taken yesterday (August 4, 2024) in and around the **East Mall Address**.
3. As suspected from the public information regarding the **East Mall Address**, it is well underway in its construction of condominiums where the **Valhalla Executive Suites** were previously situated.
4. I do not dispute that this was a former address for **TDHA** but it was never an address or branch office for **SNIC**. Therefore, this is dispositive of the mindset of the “First Insurer” and an address that would dovetail with it (i.e. **TDHA** at the **East Mall Address**).
5. Therefore, these pictures from August 4, 2024, bolster my position that the inclusion of the **East Mall Address** in the HCAI Portal, by some unknown individual, for submissions of OCF

information ^[i] on my behalf, that **TDHA** was the First Insurer to receive my completed OCF-1.

6. I shall provide a copy of this email and the images to the **Tribunal** for the record of proceeding herein along with the various types of relief that I am seeking which have not been decided.

7. Moreover, kindly ensure that the **First Insurer** who received my **Completed Application** has amended the information so it is correct and current for it along with a current and active address for our upcoming and ongoing submissions for OCF documents in the HCAI portal. I confirm that no adjuster has ever provided his or her signature in an OCF-18 and it is now quite telling why on, at least two fronts: (i) SNIC could not have been the First Insurer to have received my **Completed Application**; and (ii) the **East Mall Address** was only ever an address for TDHA and it would have been impossible for an adjuster (which auto-populates in the back end of HCAI) to have received the same at said address per se.

8. I view all of the above, including what are referenced in my NOM #14, as deliberate acts consistent with TDHA being the First Insurer to have received my Completed Application. I require immediate compliance on all fronts including inside and outside of this LAT Proceeding.

9. Kindly have the relevant persons herein revert back to me herein via email as per the Email Communication Protocol (agreed to on January 23, 2024 between myself and SNIC, and my consent to TDHA to communicate with me via email) forthwith so we can work in accordance with Reg 283, SABS and Reg 664.

10. Thank you.

^[i] As the OCF documents are NOT uploaded into the HCAI portal but rather the requisite information for me is submitted albeit the names of relevant adjusters at the time of submissions and addresses are controlled on the back-end and cannot be altered on my behalf.

Yours truly,

Mr. Kevin A. McLean (B.A., J.D., CIM) (he/him)

(e): MCLEANSNICLAT@GMAIL.COM; (p): 647.513.1270; and (address for service for TD Claim #3 and SNIC Proceeding (see: Appeal): 410-775 King Street West, Toronto, Ontario, M5V 2K3

Disclaimer

DUTY OF CONFIDENTIALITY: The contents of this email, and its attachments are confidential, solely for the specified purposes above, and intended for the recipient specified in message only; and **DICTATION OF EMAIL or Assistance from Third Parties (no waiver of confidentiality or privilege):** this email may have been created using voice recognition software and the author reserves the right to correct any spelling, grammar and syntax upon further review;

Reservation of rights in fact and at law: out of an abundance of caution, and consistent with previous objections by Mr. McLean ("Claimant" or "Appellant") has not, is not and will not consent to any unauthorized collection, use or access ("CUA") of his PII, PHI, or SPI ("Confidential Information" or "CI") that is inconsistent with any OCF documents that he signed and delivered exclusively to FIRST INSURER AT THE 416 Fax Number

Relevant particulars; : **Insurance Policy #:** #001013511806 ; **Insurance Program:** "TD Insurance Meloche Monnex" (Alumni And Professional Program); **Broker:** Meloche Monnex Financial Services Inc.; **Underwriter/Insurer:** Security National Insurance

Company; **Named Insureds:** BMW Financial Services Inc. (A Division of BMW Canada Inc.); and Nicole Artopoulos (B.A., M.A.) ("McLean Spouse"); **Insured Automobile:** BMW 3 Series Xi Drive 2019; **Insured Person/Appellant:** Mr. Kevin A. McLean (B.A., J.D., CIM) ("Artopoulos Spouse"); **Date of Loss:** August 31, 2022 ("DOL"); **Location of Loss:** Spadina Road (between Heath Rd and St. Clair Avenue), Toronto, Ontario; **Police File Number (North York Reporting Collision Centre) (see: affidavit #3);** and **TD Insurance Claim #: 035325790-3 ("TD Claim #3");** and **AABS File Number: "23-015662/AABS** (the "LAT Proceeding" or "McLean Proceeding")

emails may be sent with 'scheduled send'



Pictures-August 4-2024-304-The East Mall-Address for SNIC-First Insurer-OCF-18-FALSE-pages 1 to 36.pdf
6157K

Kevin McLean <mcleansniclat@gmail.com>

Mon, Aug 5, 2024 at 11:54 AM

To: alisha.anne@tdinsurance.com, bev.michie@tdinsurance.com, "Persaud, Carol" <carol.persaud@tdinsurance.com>, "Karat, David" <David.Karat@tdinsurance.com>, "Nieuwland, Matthew" <Matthew.Nieuwland@tdinsurance.com>

Cc: James.V.Russell@td.com

Dear SNIC and TDHA, and Dear Sirs/Mesdames:

I confirm that the above has been delivered to the above. Since I have discovered this pictorial evidence after serving and filing the hearing brief on August 3, 2024. I will include these emails and pictures in the tab after my motion submissions and provide SNIC and TDHA with a copy of the same. In accordance with the LAT Rules, I will include these emails and the pictorial evidence at Tab #22 and its pages will be consecutively numbered. I will serve you with the same in reasonably short order. Thank you.

Warm regards,

Mr. Kevin A. McLean (B.A. (MCL), J.D., CIM)

[Quoted text hidden]