



Marta Watson LLP
438 University Avenue
Suite 2000
Toronto ON M5G 2K8
Main 416.868.7700
Fax 416.868.2311
info@martawatson.com
martawatson.com

Applicant not entitled to IRBs beyond termination date

The Tribunal found that on the totality of evidence, the Applicant was not entitled to Income Replacement Benefits (IRBs) beyond September 27, 2020 when they were terminated by the Respondent following an Insurer's Examination (IE). The Applicant continued to work for various periods of time following the accident, interspersed with travel overseas to care for an ailing parent. The Disability Certificate indicated a period of recovery of nine to twelve weeks. The IE assessment took place ten months following the accident and found that the Applicant had no residual accident related injuries.

The Tribunal found the Applicant had the onus to prove she suffered psychological impairment as a result of the accident but she provided no evidence. The tribunal further found that the Respondent was not required to schedule a psychological IE.

FIND THE FULL DECISION AT:

<https://www.canlii.org/en/on/onlat/doc/2022/2022canlii124639/2022canlii124639.html?resultIndex=2>