

## **But for the Plan (The Addition Over the Septic Tank)**

Archie (not his real name) had purchased a home several years ago and now needed to empty the septic tank. Unfortunately, an addition had been built on his house and the addition resulted in a concrete patio and footings being poured over the access outlet for the septic system.

Uncertain what to do next, Archie decided to use his CAW Legal Services Plan. He retained a Staff lawyer at the London office, who contacted the title insurance company, to receive an assessment as to possible coverage for such circumstances. The title insurer initially refused coverage.

Not accepting this initial refusal, the lawyer carefully reviewed the insurance policy, and offered an interpretation that established the grounds for Archie to be covered, based upon when the addition was built and the lack of municipal approvals obtained by the owner at that time.

The title insurer reversed its initial opinion and ultimately settled our client's claim for the substantial costs of removing and replacing the septic system. In addition, all of the work was done without the municipality forcing our client to reside elsewhere.

But for the CAW Legal Services Plan, this could have been a very messy and costly predicament.

*... Submitted by Ted Hopkins,  
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