



FSCO A06-000190

**BETWEEN:**

**PUNAM THAKUR**

**Applicant**

**and**

**STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY**

**Insurer**

## **REASONS FOR DECISION**

**Before:** Richard Feldman

**Heard:** November 7, 8 and 9, 2006, at the offices of the  
Financial Services Commission of Ontario in  
Toronto.

**Appearances:** Dilip Thakur for Mrs. Thakur  
Heather Kawaguchi for State Farm Mutual Automobile Insurance  
Company

**Issues:**

The Applicant, Punam Thakur, was injured in a motor vehicle accident on June 23, 2001. She applied for accident benefits from State Farm Mutual Automobile Insurance Company ("State Farm"), payable under the *Schedule*.<sup>1</sup> Disputes arose between the parties concerning the payment of accident benefits and the parties were unable to resolve their disputes through mediation. Mrs. Thakur applied for arbitration at the Financial Services Commission of Ontario under the *Insurance Act*, R.S.O. 1990, c.I.8, as amended.

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<sup>1</sup>The *Statutory Accident Benefits Schedule — Accidents on or after November 1, 1996*, Ontario Regulation 403/96, as amended.

The issues in this hearing are:

1. Is Mrs. Thakur entitled to receive weekly caregiver benefits in the amount of \$250.00 per week from August 9, 2001 to June 19, 2003, pursuant to section 13 of the *Schedule*?
2. Is Mrs. Thakur entitled to receive medical benefits in the amount of \$4,261.02 for the cost of treatment and prescription medication, pursuant to section 14 of the *Schedule*?
3. Is Mrs. Thakur entitled to receive housekeeping and home maintenance expenses from August 9, 2001 to June 23, 2003, pursuant to section 22 of the *Schedule*?
4. Is State Farm liable to pay Mrs. Thakur's expenses in respect of the arbitration under section 282(11) of the *Insurance Act*?
5. Is Mrs. Thakur liable to pay State Farm's expenses in respect of the arbitration under section 282(11) of the *Insurance Act*?
6. Is Mrs. Thakur entitled to interest for the overdue payment of benefits pursuant to section 46(2) of the *Schedule*?

This application was heard on November 7 and 8 and was scheduled to continue on November 9, 2006. At the commencement of the proceedings on November 9, the parties advised me that they had reached a settlement of the issues raised herein. They jointly requested that I issue an order dismissing this application without costs. I indicated that I was prepared to grant their request.

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Richard Feldman  
Arbitrator

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November 21, 2006

Date

Financial Services  
Commission  
of Ontario

Commission des  
services financiers  
de l'Ontario



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## **ARBITRATION ORDER**

Under section 282 of the *Insurance Act*, R.S.O. 1990, c.I.8, as amended, *and on consent of the parties*, it is ordered that:

1. This application is dismissed.
2. No expenses related to this arbitration are awarded to either party.

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Richard Feldman  
Arbitrator

November 21, 2006

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Date