

No one expects to
be in an accident.

You focus on getting better.
We'll do the rest.



This guide is meant to help you understand and prepare for potential issues that may arise after an accident. With the right information you can feel more comfortable with your situation and focus your energy where it matters - your recovery.

Save this guide for future reference so you can be better prepared if the unexpected happens.

This guide should not be considered comprehensive legal advice.

Law is complex; your specific case should be assessed on its unique facts and circumstances. For advice specific to your case, please contact Bergmanis Preyra LLP for a free, no obligation consultation.



Bergmanis Preyra LLP

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Notes

Describe the Accident:

If you have questions — ask us, we are here to help.

**‘Everyone
deserves not
just to survive,
but to live.’**

- Steve McQueen

Accidents turn your world upside down.

The pain of your injuries, mounting bills, family obligations, and the stress of an uncertain future can become overwhelming.

Immediately after an accident you can expect that your family and friends will rally to provide you with expressions of their love and support. Over time even loved ones may forget what you are going through, especially if you don't "look" injured.

You may become overwhelmed and frustrated by the slow progress of your recovery, the inability to pay for recommended medical treatment, financial and social stresses, pain or poor sleep. Your loved ones can grow equally frustrated as they try to cope with your physical and emotional changes.

Other Drivers Info:

Name:

Address/Phone:

Plate Number:

Insurer:

Pictures/Video Available?

Notes

Date:

Time:

Weather (Describe current weather - sunny, cloudy..., temperature, road conditions, etc.):

Witnesses:

Accidents are stressful on everyone, including those around you. Try to understand one another and to identify potential problems before they threaten your relationships and your own mental health. Honest communication between you, your loved ones and your healthcare professionals is incredibly important.

‘Sometimes all someone needs is a hand to hold, and a heart to understand.’

- Anonymous

While the road to recovery can be difficult, there are often programs in place to help to ease your burden. Be organized, ask questions and make sure that you know what options may be available to you.

If you have any questions or if you need someone to talk to, don't hesitate to call or visit us online- we're happy to help!

After an accident take care of the injured and report the incident.

If you have been involved in an accident it is important to remain as calm as possible. If you or someone else has been injured, provide help and seek out medical assistance immediately.

DO NOT MOVE AN INJURED PERSON UNLESS YOU ABSOLUTELY HAVE TO.

Make sure that you tell the doctors and emergency workers about all physical and emotional complaints so that he or she can recommend proper testing and treatment.

If you are involved in a car accident in Ontario you must call the police and remain at the scene if there appears to be more than \$1000 in property damage. The police should also be called if one of the drivers appears to have committed a crime under the Criminal Code (i.e.: impaired driving) or if someone was injured.

As soon as you or someone is able, report the accident to your insurance company, employer, WSIB or other organizations that may become involved.

Important Dates



Important dates for car accidents

- 7 days** To report the accident to your car insurer or, if you don't own a car, the insurer of the vehicle involved in the accident
- 30 days** To complete and send the Accident Benefits application
- 120 days** To let the at-fault driver know that you intend to sue
- 2 years** To file a lawsuit against the at-fault driver

Important dates for other accidents

- 10 days** To report a claim to the City
- 2 years** To file a lawsuit with the Court

Bergmanis Preyra LLP is a law firm specializing in recovering compensation for seriously injured people.

Other Accidents

If you are injured due to someone else's negligence, you may be entitled to recover damages for your injuries.



When you are injured there are significant notice and limitation periods in place that you must keep in mind. For example, if you slip and fall on ice while on a municipal sidewalk you must report the claim to the City within 10 days; failure to do so may prevent you from making a claim.

There is specific information which must be included in the Notice, as well as requirements as to how that Notice must be given to the municipality. It is details like these that make it important to consult a lawyer immediately. In all cases, you must initiate a claim within two years of when you reasonably should have known that you suffered a claimable injury or loss or 2 years after you turn 18 years old, whichever is later.

Information is incredibly important and can be quickly lost after an accident.



Take pictures

If possible, have someone take pictures of the accident scene, and of your injuries.



Take notes

Jot down your recollection of the accident, weather conditions, witness information, and conversations. Diagrams can help as well.



Record expenses

Keep detailed records of your expenses and what each was for.



Get qualified advice

Speak to an experienced lawyer about your legal options and benefits available to you.

Car Accidents



When you are involved in a car accident, you are entitled to claim certain benefits—known as “accident benefits”—from your own automobile insurance company (or the other drivers’ insurer if you don’t own a car). Accident benefits, while not generous, are intended to provide you with some immediate financial and medical relief.

It is important to file your claim right away so that your insurer can assess your case and approve your benefits as soon as possible.



In Ontario we have a no-fault system of automobile insurance

In addition to accident benefits, you may be entitled to sue the owner and driver of an “at fault” vehicle. Give the at-fault driver and owner notice of the claim immediately and be sure to file a claim with the Court no later than 2 years after the accident.

Even if your accident happened some time ago, there's a chance you may still be able to sue the owner and driver as you can initiate a claim within two years of when you reasonably should have known that you suffered a claimable injury or loss or 2 years after you turn 18 years old, whichever is later.

To successfully sue another driver in Ontario, you must prove that your injuries were caused, or contributed to, by the fault of that driver and that you have suffered income loss, disfigurement or serious and permanent physical or psychological injury. It is often difficult at the early stage of your injury to determine if you meet that test.

In addition, the law imposes mandatory reductions on claims made by injured people and for family members who sue.

The process can be complicated. You should focus on ensuring that your accident benefits claim has been submitted, other drivers have been placed on notice and that you are following medical advice and treatment. The seriousness of your injuries will become clearer with time.

Our lawyers provide knowledgeable and
compassionate legal representation.
We can help guide you through every
stage of your recovery.

Bergmanis Preyra LLP offers free, no obligation
consultations. Should you retain our services on a
contingency fee basis, you don't pay until we recover
financial compensation on your behalf.

**For more information call us at 416 256 1700
or visit us on the web at bplawyers.ca**

Time Tested, Trial Proven.



**T: 416 256 1700 TF: 1 877 678 7388
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