



# Office of the Ombudsman

## 2017 Annual Report

**407 ETR**  
Express Toll Route  
FAST. SAFE. RELIABLE.

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# A Message from the Ombudsman



The Ombudsman’s Office (the “Office”) is pleased to present the 2017 Annual Ombudsman Report for 407 ETR. In 2017, our Office has seen a significant 42% decrease in the number of customer disputes compared to 2016. This downward trend remains consistent with an overall 4.02% decrease in contacts to 407 ETR’s Customer Service Department for the same period.

We continue to commit to providing an objective, professional, transparent and consistent experience to those customers who appeal to the Office. It is through these customer engagements that we are able to ensure equal and fair application of 407 ETR policies and also make recommendations to the organization for change.

The implementation of these recommendations would not be possible if not for customers bringing their concerns forward and 407 ETR stakeholders being open and collaborative in wanting to affect such changes within the organization. The Office would like to extend its gratitude to all involved for the diligent work and effort contributed over the past year.

February 2018

The Office exists to listen to customers' issues as they relate to Highway 407 ETR and the Province of Ontario's Highway 407 and Highway 412. The Office gathers the facts regarding a customer's complaint and conducts an investigation if it falls within the mandate of the Office. To be clear, the Ombudsman is neither an advocate for 407 ETR, the Province, or the customer. In the event that an issue is based on verbal accounts that are not easily verifiable, the Office limits the investigation to the confirmable facts.

As a corporate Ombudsman's Office, we have no legislative power and therefore cannot make recommendations to change, amend or influence laws or regulations, or otherwise impact customer pricing or fees. It is beyond of the mandate of our Office to review matters that are before the courts or have a legal ruling, or matters related to damage claims, highway infrastructure and design, or policing and enforcement. In addition, the Office does not engage in financial settlements on customer accounts or award punitive damages.

For a fair and reasonable resolution, the Office collaborates with other stakeholders, including the Ontario Ministry of Transportation, where appropriate, and based on the nature of the issue we can focus on providing a timely resolution.

## What We Do



### Listen

In order to understand the issue, we listen to both sides of the dispute.



### Gather

We review all cases that are received by the Office. We will request from the customer and the company all pertinent information before considering a final resolution.





### Recommend


We will provide a resolution/recommendation that ensures the procedure is fair and reasonable to both parties.

## Contact Customer Service

407 ETR's Customer Service Department is the first point of contact when addressing a service matter. Customer Service Representatives are well equipped with the tools, support and training to resolve most complaints and issues. Customer Service Representatives are available Monday to Friday between 8:30 a.m. to 4:30 p.m., and may be reached by:

 1-888-407-0407

 [www.407etr.com](http://www.407etr.com)

 6300 Steeles Avenue West  
Woodbridge, ON L4H 1J1

## Escalate to the Office of the President

If a customer is not satisfied with the outcome or resolution provided by the Customer Service Representative the call may be escalated to the Office of the President. The Office of the President has a well-defined dispute handling process and will review the complaint and the resolution provided by the Customer Service Representative. In order for the Advocate to review a complaint, we recommend that the customer state why they are not satisfied with the resolution provided by the Customer Service Representative.

## Contact the Office of the Ombudsman

After a complaint is reviewed by the Office of the President, and a complaint remains unresolved, a customer may contact the Office for an impartial review of a case.

In order to ensure a fair and reasonable recommendation, all documentation must be forwarded with the complaint, in writing.

Once the Office has received a complaint, an Ombudsman Advisor will conduct an assessment to ensure that the issue(s) falls within the mandate of the Office.

In the event that the issue is not within the mandate, the matter will be referred to the appropriate department. If the issue falls within the mandate it will be reviewed by an Ombudsman Advisor and we endeavor to provide a resolution or recommendation within 10 business days after the initial review.

In efforts to assist customers, an Ombudsman's Contact form was designed to assist in outlining dispute. In addition, a customer may contact the Office directly for general information by calling 905-264-4485 or toll-free at 1-866-675-4457.

## 3 Types of Contact

The Office of the Ombudsman classifies customer contacts into the following three categories:



### Informational

Enquiries that do not involve complaints or concerns. They are requests for general information.



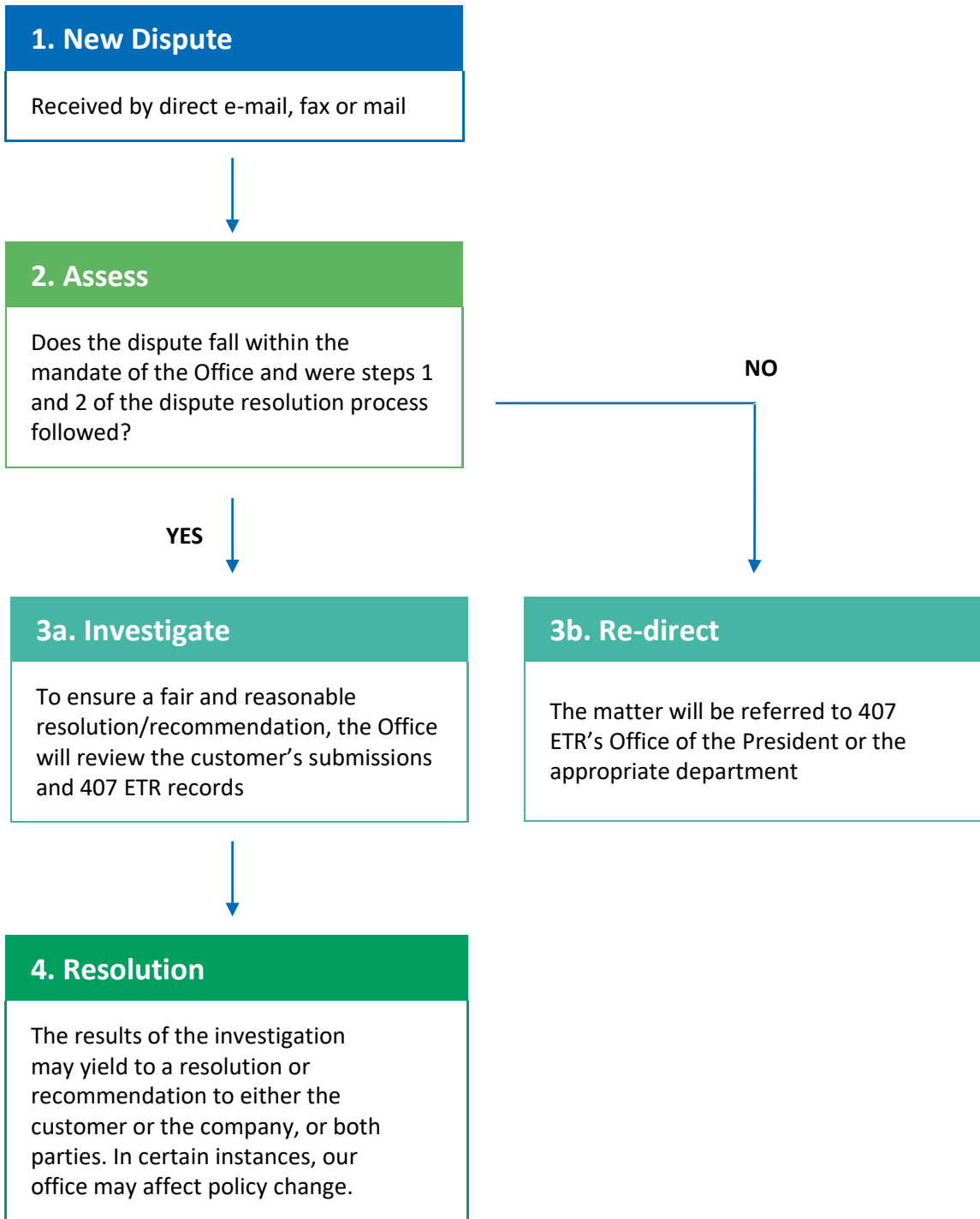
### Advice

Complaints or concerns that have not been through Step 1 or Step 2 of the Dispute Resolution Process. The issue is generally forwarded to the appropriate business unit for an investigation or resolution, prior to proceeding to the Office.

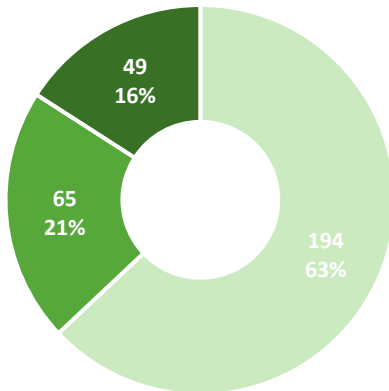


### Informal Intervention

Complaints or concerns that have been responded to at Step 2 of the Dispute Resolution Process, but do not require a full investigation as the information provided to the Office does not contravene the resolution previously provided by the organization.

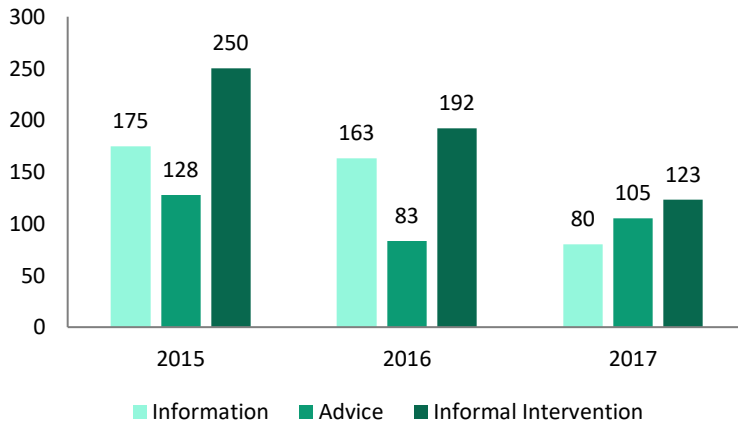


## Method of Contact



In 2017, 308 contacts were received in the Office; a 42% decrease from 438 contacts in 2016. 407 ETR’s Customer Service Department received 616,671 calls and sent out 18.714 million paper and electronic invoices that resulted in less than a 0.02% of 1% dispute rate (calls) to the Office.

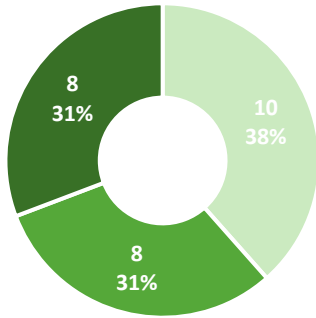
■ Email ■ Telephone ■ Letter/Fax



The 308 contacts to the Office were comprised of:  
 26% (80) informational  
 34% (105) advice referrals  
 40% (123) informal interventions



# Top Issues Reviewed 2017

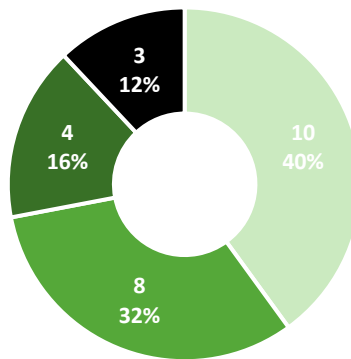


- Transponder Toll Charge
- Transponder Lost/Stolen
- Customer never used the highway

The 26 Top 3 Trends outlined for 2017 are reflective of the 123 informal interventions whereby 57% of customers were satisfied with the resolutions provided in these cases.

## Outside of Mandate

8.3% (25) of the 308 contacts to the Office fell outside of its mandate in 2017.



- Settlements
- Enforcement Disputes
- Financial Hardship Program
- Legal Proceedings

# Exceptional Hardship Plans

407 ETR offers an Exceptional Hardship Payment Plan, in an effort to assist those customers who have accumulated significant debt with 407 ETR, and would suffer an exceptional hardship through the denial of their vehicle licence plate permit. The review of these applications remains part of the responsibility of the Ombudsman’s Office. For details regarding the plan, please visit [www.407etr.com](http://www.407etr.com).

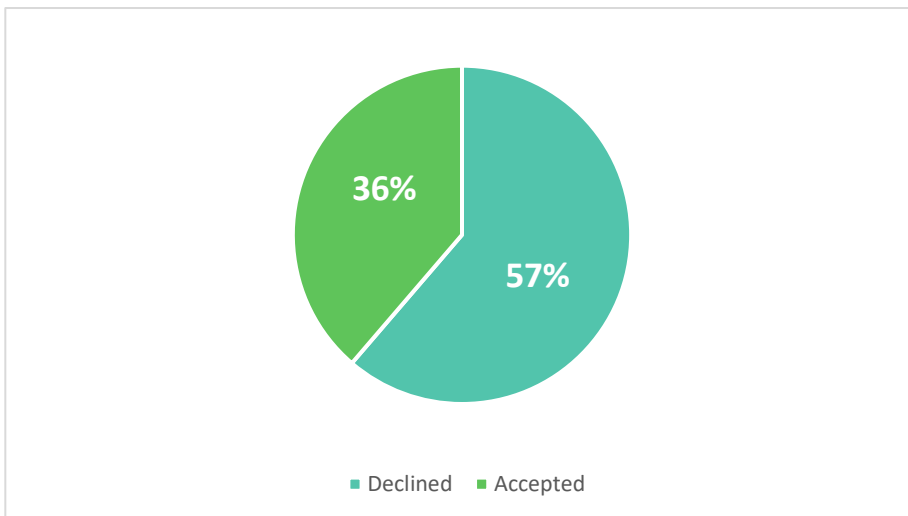
In 2017, The Office received a total of 42 applications, an 8% decrease from the 53 applications received in 2016. Of those applications received, 36% (15) were accepted into the program while 57% (24) were declined.

The two primary reasons why applications were declined are:

- a) The Ombudsman’s Office is looking for documentation that supports or proves that you would suffer a loss that is immediate, significant and lasting. An example of this would be that a customer requires medical appointments and/or regular treatments – and relies on their vehicle, as failure to receive any necessary treatment could jeopardize their health and safety.
- b) Customers that are experiencing financial hardship are excluded from this plan. The Office of the Ombudsman can only consider exceptional hardship. Customers that are declined due to a financial hardship are advised of 407 ETR’s Financial Hardship Payment Plan or settlement.

## Applications

### *Exceptional Hardship Payment Plan*



## Disputes under the Highway 407 Act

Although 407 ETR has a thorough dispute resolution process for customers to dispute issues as they relate to Highway 407 ETR and the Province of Ontario's Highway 407 and Highway 412, there is also a legislative dispute process under the Highway 407 Act and the Highway 407 East Act. The legislated dispute process under each act is the same and remains separate from 407 ETR's 3-step dispute resolution process.

Under each respective act, 407 ETR may send a notice of failure to pay to a customer whose account is 37 days past due.

If a customer receives a notice of failure to pay, the notice may be disputed on one or more legally prescribed grounds, and such a dispute must be filed within 30 days of the date of the notice.

Once the dispute is received by 407 ETR's Dispute Administrator, they will review the dispute to ensure that the dispute has been received within the allowed time and that all supporting documentation is provided by the disputant. The Dispute Administrator has 30 days to review, investigate and respond to the dispute.

If a customer's dispute is unsuccessful, an appeal of the decision may be made to an independent arbitrator as outlined under the respective acts.

The independent arbitrator is appointed by the Ontario government.

There are critical timelines to adhere to when filing an appeal of the decision of 407 ETR's Dispute Administrator. Therefore, it is incumbent on the customer to be aware of the requirements in order for the appeal to be heard.