



TRAVEL INDUSTRY COUNCIL OF ONTARIO



BUSINESS PLAN 2000

April 14, 2000

Honourable Robert Runciman
Minister of Consumer and Commercial Relations
250 Yonge Street
Toronto Ontario
M5B 2N5

On behalf of the Travel Industry Council of Ontario, we are pleased to submit our third year Business Plan.

Electronic commerce and consumer awareness are among the most important factors that TICO has considered in preparing this Business Plan. The growth of leisure and business travel and the consolidation of service providers are shaping the future and TICO has ensured its Business Plan reflects these trends.

This third year Business Plan presents the services, programs and projects that TICO has undertaken to protect the consumer in this emerging environment. It also outlines the new initiatives TICO has introduced and is monitoring as the industry changes. The plan establishes the mission and values within which TICO will operate, the vision for what TICO wants to achieve and the measures by which TICO's performance will be judged.

TICO's mission is "To promote a fair and informed marketplace where consumers can be confident in their travel purchases." The successful delegation of self-management has afforded TICO new and wide-ranging opportunities to achieve this mission while demonstrating the provision of service excellence to consumers, registrants and government itself. TICO's Board, staff and management will strive to provide vision to its stakeholders to achieve and deliver the expected level of results outlined in this Business Plan.

Sincerely,



Neil Winter
Chair, Board of Directors



Michael Pepper
President and CEO

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GENERAL OVERVIEW

On June 25, 1997, the Travel Industry Council of Ontario (TICO) was delegated to take responsibility from the Ministry of Consumer and Commercial Relations (MCCR) for administering the Travel Industry Act (the Act), which governs all of the approximately 3,000 travel retailers and wholesalers registered in Ontario and The Ontario Travel Industry Compensation Fund Corporation (the Compensation Fund).

In assuming this commission, TICO established an initial agenda not just to provide the services delegated, but to elevate the industry to new levels in consumer protection, professional standards and regulatory compliance.

The 3rd year Business Plan which follows outlines:

- ▶ The specific objectives, actions and performance measures for accomplishing the agenda in an ongoing three-year planning period.
- ▶ The operating environment established to support it.
- ▶ The mission, vision and values that will serve as guiding principles to staff and Board members, and against which all initiatives are being measured.

For purposes of TICO, MCCR, the Travel Industry Act (TIA) and this Business Plan, the following definitions apply:

- ▶ *Registrant*: a travel wholesaler (tour operator) or travel agent (retailer) who is registered in Ontario under the *Travel Industry Act*.
- ▶ *Non-registrant*: an organization which supplies travel services, but is not registered in Ontario including (but not limited to):
 - wholesalers and retailers not located in Ontario
 - companies which sell to clients in Ontario by means of advertising, the internet or toll-free phone line, but where the home base or call centre is not located in Ontario.
 - end suppliers (e.g. airlines, hotels, rail services, cruiselines), which may or may not be located in Ontario.

Mandate

TICO's mandate is to support the Ministry of Consumer and Commercial Relations' mission of maintaining a fair, safe and informed marketplace as it relates to Ontario's Travel Industry Act. This mandate is accomplished by developing and fostering high standards in:

- ▶ Consumer protection
- ▶ Registration, inspection, supervision and discipline of registrants
- ▶ Consumer education and awareness
- ▶ Investigating and mediating disputes between consumers and registrants

In addition, future programs will serve to support this mandate by:

- ▶ Promoting fair and ethical competition within the industry
- ▶ Supporting a Code of Ethics
- ▶ Maintaining and enforcing programs that provide for consumer compensation in specific circumstances
- ▶ Promoting an expected level of education as a criterion for registration
- ▶ Encouraging legislative and regulatory amendments aimed at enhancing industry professionalism and consumer confidence.

Clients

While TICO activities are focused on consumer protection, its clients also include the Ontario-registered travel retailers and wholesalers who fund TICO through registration fees and who pay regular fees into the Compensation Fund.

TICO serves Registrants by justifying consumer confidence in purchasing from the Ontario travel industry. This is accomplished through:

- ▶ Ongoing services and special projects aimed at monitoring and ensuring compliance with the Act and Regulations
- ▶ Making consumers aware of the benefits of dealing with Ontario Registrants
- ▶ Enhancing industry professionalism

- ▶ Providing consumer compensation and recourse in specific circumstances
- ▶ Striving to ensure the Act and Regulations remain relevant to emerging issues.

In carrying out these services and initiatives, TICO works with stakeholder groups including:

- ▶ *Consumers*: to increase awareness of their own rights and responsibilities, and those of the Ontario travel industry under the Act.
- ▶ *All Registrants and industry associations*: to harness their knowledge and commitment to ethical and open competition. The associations include:
 - ▶ The Canadian Association of Tour Operators (CATO)
 - ▶ The Association of Canadian Travel Agents – Ontario (ACTA – Ontario)
 - ▶ The Canadian Institute of Travel Counsellors of Ontario (CITC – Ontario)
 - ▶ The Ontario Motor Coach Association (OMCA)
- ▶ *Government*: which has delegated to TICO the responsibility for administering the Act and which holds TICO accountable for supporting its mandate of a fair, safe and informed marketplace.

Services

The services delegated to TICO to provide are detailed below.

Registration

- ▶ Processing new applications – ensuring criteria and standards are met.
- ▶ Processing registration renewals – ensuring criteria and standards continue to be met, for example:
 - financial viability including compliance with financial criteria under the Act and Regulations
 - supervisor / manager qualifications
 - other compliance issues (e.g. advertising standards)
 - registrant and consumer inquiries

Consumer Protection

- ▶ Administering the Compensation Fund
- ▶ Inspection:
 - financial reviews of Registrants to minimize risk to consumers

- checking compliance of Registrants with advertising regulations, terms and conditions of registration and disclosure to consumers (e.g. conditions of booking)

- ▶ Compliance:
 - applying administrative compliance measures to ensure that Registrants correct deficiencies that have been identified
- ▶ Investigation:
 - investigating instances of suspected breaches of the Act which could result in prosecution
- ▶ Enforcement:
 - suspensions, proposals to revoke registrations, laying charges under provincial statutes and referrals to criminal authorities
- ▶ Consumer inquiries
- ▶ Consumer education

Complaint Resolution

- ▶ Resolving complaints:
 - between consumers and Registrants
 - between consumers and TICO
 - between Registrants and TICO
- ▶ Where complaints have not been resolved, providing information on other options.

Government Liaison

- ▶ Working closely with MCCR for purposes of issues management, regulatory reform and matters of public interest.

In addition to these delegated responsibilities, TICO intends to provide the following:

- ▶ Consumer education and awareness on the benefits of purchasing travel services from Ontario Registrants
- ▶ Consumer and Registrant awareness with respect to the emergence of electronic commerce as it relates to the travel industry

Resources

TICO is a not-for-profit corporation wholly financed by Ontario-registered travel agencies and wholesalers through bi-annual registration fees. In addition, the Compensation Fund is financed entirely by Ontario travel industry Registrants through contributions based on sales revenue.

Structure

TICO delivers services through the operating structure outlined in the chart on page 4. In addition, at a strategic level, a number of Board committees address issues related to the organization's overall mandate, goals and long range objectives. Currently there are nine committees that have been established, as illustrated in the table on this and the following page.

The Ontario Travel Industry Compensation Fund

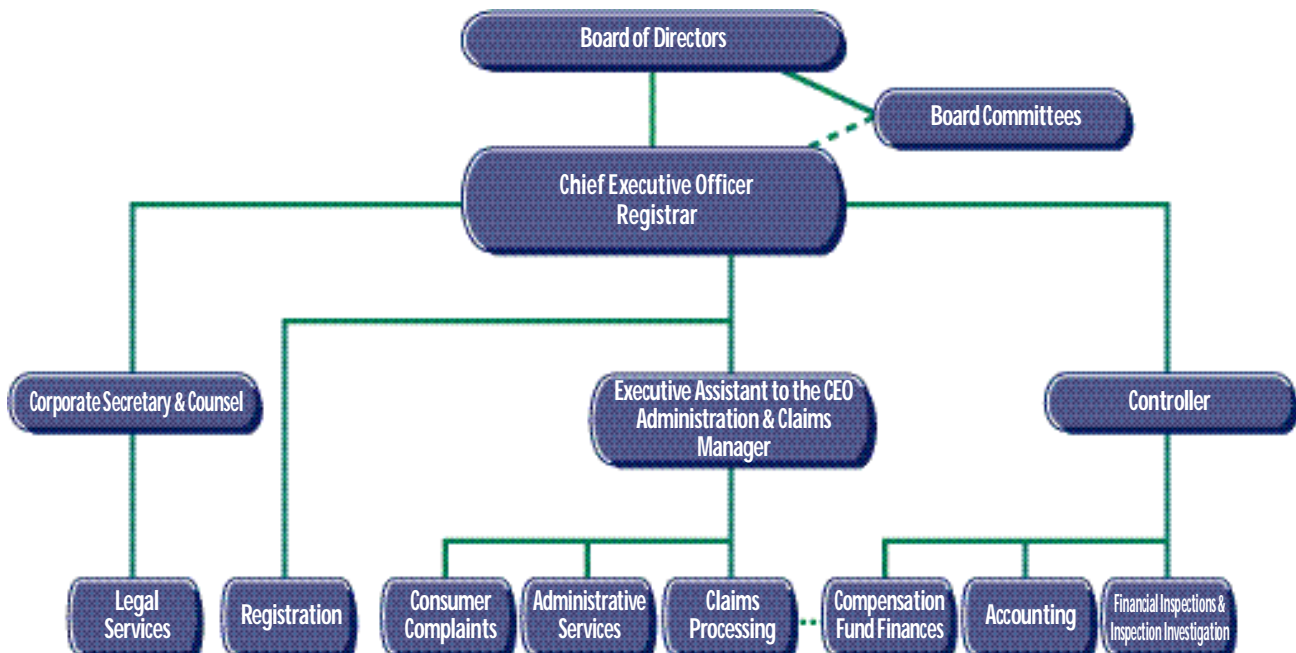
Under TICO, the Compensation Fund continues to protect consumers who purchase travel services from Registrants in the event of a Registrant's financial failure.

TICO COMMITTEES

| Committee | Mandate |
|---------------------------------|--|
| Executive | <ul style="list-style-type: none"> • Manage emergency issues on an ad hoc basis • Interim support for CEO between board meetings • Review of large closures |
| Alternate Funding | <ul style="list-style-type: none"> • Make recommendations to the Board with respect to alternate methods of financing the Fund that would address industry concerns while meeting consumer needs |
| Business Strategy | <ul style="list-style-type: none"> • Produce TICO's Business Plan and monitor performance measures • Develop a system of administrative penalties • Develop business policies on key issues of TICO authority (e.g. misleading advertising and financial compliance) • Refer issues for legislative and regulatory review • Conduct an annual review of the Registrant's Code of Ethics and the Board of Director's Code of Conduct |
| Complaints | <ul style="list-style-type: none"> • Review and resolve, as appropriate, complaints against TICO • Provide fair, transparent and accountable procedures for handling registrant and consumer complaints against TICO • Develop standards for handling complaints • Make recommendations with respect to TICO's complaint handling procedures |
| Legislative & Regulatory Review | <ul style="list-style-type: none"> • Achieve regulatory and legislative reform necessary to achieve TICO's business objectives, as set out in the TICO Business Plan by: <ul style="list-style-type: none"> - Consulting with MCCR on policy and legal issues - Securing and managing stakeholder input - Working with MCCR to move the recommendations forward through the legislative process |
| Audit | <ul style="list-style-type: none"> • Review internal controls operating throughout TICO • Review accounting and investment policies on an annual basis • Review quarterly investment report and financial statements • Review audited financial statements and recommend their approval to the Board |

| Committee | Mandate |
|-------------------|--|
| Minimum Standards | <ul style="list-style-type: none"> • Develop mandatory minimum educational standards on a two-tier basis (Supervisor/manager and travel counsellor) • Standards to include knowledge of the Travel Industry Act and Regulation, Code of Ethics, business practices and basic travel knowledge • Define basic travel knowledge on a two tier basis • Identify options for developing curriculum • Develop the implementation and enforcement mechanism |
| Compensation Fund | <ul style="list-style-type: none"> • Review and recommend to the Board the payment of claims in accordance with Reg.806/93 • Develop and recommend administrative policies to the Board of Directors regarding administration of the Fund • Review recovery procedures to offset the cost of claims • Review and monitor the status of appeals to the Licence Appeal Tribunal of denied claims |
| E-Commerce | <ul style="list-style-type: none"> • Mandate currently being developed |

TICO OPERATING STRUCTURE



MISSION, VISION & VALUES

TICO's Mission

TICO's founding Board established a mission that tells internal and external audiences why TICO exists, and against which it will measure all programs, services and initiatives.

TICO's mission is:

"To promote a fair and informed marketplace where consumers can be confident in their travel purchases."

TICO's Vision

TICO's vision sets the direction for what it wants to achieve as an organization.

TICO will be known as:

- ▶ A leader in developing an improved system of consumer protection
- ▶ A model for a progressive, fair and firm administrator of industry regulations
- ▶ A promoter and enforcer of good business ethics

- ▶ An advocate for harmonized standards in the travel industry.

TICO's Values

TICO has a set of values that show how business will be conducted, what is important in how it deals with people and the basis for how its vision will be achieved.

TICO will be:

- ▶ Fair, but firm in its conduct with Registrants and consumers
- ▶ Responsive and open in communicating with consumers and Registrants, while respecting the business confidentiality of Registrants
- ▶ Visionary in its approach to improving the industry and industry practices, while remaining accountable to all stakeholders for the cost-effectiveness and practicality of solutions and initiatives.

Above all, TICO will be ethical in everything it does.

BUSINESS OBJECTIVES

Accomplishments in 1999

- ▶ Launched a Consumer Awareness Campaign to bring consumers' and Registrants' attention to the benefits of dealing with Ontario Registrants. TICO's campaign consisted of media coverage including television, newspaper, radio interviews and speaking engagements. TICO also participated at consumer and industry trade shows.
- ▶ Continued a review of the Travel Industry Act and Regulation by the Legislative & Regulatory Review Committee. Consultation process initiated with Ministry of Consumer & Commercial Relations with respect to the legislative and regulatory review. Consultation paper expected to be distributed to stakeholders in Summer 2000.
- ▶ Utilized the review of other jurisdictions, particularly British Columbia, Quebec, Australia and the U.K to assist in legislative and regulatory review process.
- ▶ Created and developed a website to provide information and assistance to all TICO stakeholders.

- ▶ Code of Ethics developed for Registrants and TICO staff.
- ▶ Met the terms of the Administrative Agreement by maintaining and implementing operations and systems for effectively administering the terms of reference of TICO's mandate with the Ministry.
- ▶ Successfully completed a Y2K awareness campaign.
- ▶ Maintained a communications plan for TICO stakeholders including internal communications to the Board of Directors and staff through orientation, meetings and policy manuals.
- ▶ Maintained an ongoing dialogue with Registrants and regulators in other jurisdictions and self-managed industries to share best practices.
- ▶ Continued distribution of a quarterly newsletter (TICO Talk) to all registrants.
- ▶ Created and distributed a Registrant handbook.
- ▶ Expanded the Registrant inspection programme to focus on new registrants and areas of risk.

- ▶ Initiated a compliance enforcement program to identify non-Registrants.
- ▶ Developed and implemented a database to house all Registrant information and improve productivity.
- ▶ Developed standards of review for Complaints Committee.
- ▶ Minimum Standards Committee created and provided mandate.
- ▶ Initiated dialogue with federal government on end supplier issue.

Programs and Services

The following reflects TICO's business objectives by major program area for the next three-year period.

Registration and Administration

- ▶ Update Business Plan annually.
- ▶ Continue with the necessary operations and systems to meet the terms of reference of the Administrative Agreement.
- ▶ Ongoing review of the registration process and fee schedules to reduce administrative burden and costs on TICO and Registrants.
- ▶ Develop a list of fees to be recovered from Registrants in respect of services provided.

Monitoring and Compliance

- ▶ Ongoing development of an effective and equitable system to ensure compliance
- ▶ Review annually the Code of Ethics applicable to all Registrants, board members and TICO staff.

Industry Education

- ▶ Establish minimum performance standards for Registrants and their representatives
- ▶ Review and recommend amendments to registration criteria to address business risk.

Consumer Education and Protection

- ▶ Maintain complaint resolution processes
- ▶ Monitor advertising so that it complies with Regulations
- ▶ Maintain a communications plan for TICO stakeholders
- ▶ Maintain an effective communications programme so that consumers and Registrants are aware of the benefits of dealing with Ontario Registrants.

Special Projects/Legislative Initiatives

- ▶ Continue with the review of the Travel Industry Act legislation and regulations to meet the current and anticipated environment
- ▶ Maintain an ongoing dialogue with counterparts in other jurisdictions and self-managed industries to share best practices.
- ▶ Review compensation fund contribution rates on an annual basis to maintain the Fund at a level needed to meet Industry requirements.
- ▶ Review programs, services and initiatives with respect to the emergence of electronic commerce.

TICO Plan for Handling Complaints

Consumer-to-Registrant Complaints

TICO offers complaint handling for consumer-to-Registrant disputes. After encouraging consumers to pursue all avenues with the Registrant, TICO staff will assist with the goal of reaching a mutually acceptable solution. When a complaint involves allegations of non-compliance with the Act, the Registrar will undertake the necessary compliance and enforcement action. When a mutual solution is not reached, the consumer will be provided with information regarding options to further pursue matters.

Registrant-to-Registrant Complaints

Registrant-to-Registrant disputes have traditionally not been handled by the Registrar, unless financial issues or other allegations of non-compliance with the Act are involved. TICO proposes to maintain this approach in the immediate future until all complaint handling procedures can be reviewed.

Complaints Against TICO

Consumers with complaints about TICO's activities are invited to contact the Consumer Complaints Committee of the Board of Directors.

The Complaints Committee's mandate is to review and resolve, as appropriate, complaints against TICO which are based on dissatisfaction with the quality and fairness of its services to Registrants and consumers. To ensure its impartiality, the Committee is composed of representatives of the various stakeholders.

Also, appeals against the Registrar's administrative decisions may proceed, as appropriate, to the Licence Appeal Tribunal, formerly

the Commercial Registration Appeal Tribunal.

Complaints may be submitted by phone, fax, mail or email. TICO undertakes to provide a response to the complainant within 30 days.

TICO will monitor and report on its complaint handling process in its Annual Report.

French Language Plan

TICO endeavours to ensure that it is responsive to all inquiries received in the French language. An equivalent level of service in both English and French is provided whenever and wherever demand and customer service warrant.

PERFORMANCE MEASURES

| BUSINESS OBJECTIVES | PERFORMANCE GOALS | PERFORMANCE MEASURES |
|---|---|--|
| Keep TICO stakeholders informed as to TICO's plans, actions and achievements. | Update all stakeholders yearly with an Annual Business Plan that outlines relevant and clear performance goals, and measures and details TICO's achievements. | Approved Business Plan available to stakeholders by April 15th of each year. |
| Ensure Registrants receive the most effective and efficient services at the lowest possible cost. | Streamline processes for registrations, renewals, Form 1 payments and submission of Financial statements. Effective and equitable user-pay method for recovering costs for services. | Conduct an analysis of current processes and provide a set of recommendations for streamlining by Fall 2000. Implement new TICO information management system, which allows for improved performance measurement capabilities. Targeted for completion in 2000/01. Establish a system of cost recovery fees. Targeted for completion in 2000/01. |
| Ensure fair, firm and effective enforcement of the <i>Travel Industry Act</i> and Regulations. | Develop appropriate processes for dealing with non-compliance of TIA and Regulations and consider the implementation of administrative penalties. Ensure Registrants fulfill regulatory (financial and non-financial) requirements under the Act through greater enforcement and visibility. | Ongoing assessment of procedures that identify and address non-compliance. Develop a model for implementing administrative penalties for non-compliance. Increase the number of financial and compliance inspections conducted by 5% in 2000/01. |

| BUSINESS OBJECTIVES | PERFORMANCE GOALS | PERFORMANCE MEASURES |
|--|--|--|
| <p>Achieve a high level of service delivery to consumers.</p> | <p>Efficient and timely processing and approving of claims resulting from Registrant closures.</p> | <p>Implement new TICO information management system, which allows for improved performance measurement capabilities. Targeted for completion in 2000/01.</p> <p>Process 90% of Compensation Fund claims within 45 days.</p> |
| <p>Communicate proactively with consumers and Registrants</p> | <p>Maximize available opportunities to improve consumer education and awareness.</p> <p>Promote the benefits of dealing with registered agencies to consumers.</p> <p>Ongoing awareness strategy for communicating TICO's mandate and goals to Registrants.</p> | <p>Participate in at least 3 travel related consumer shows annually providing educational literature and issue at least 2 press releases aimed at consumer awareness.</p> <p>Maintain a consumer awareness campaign.</p> <p>Participate in 5 Travel Industry Trade shows and publish and distribute TICO Talk newsletter to Registrants quarterly.</p> |
| <p>Encourage honesty, integrity and ethical competition within the travel industry.</p> | <p>Promote Code of Ethics to all Registrants.</p> | <p>Restate Code of Ethics in future TICO publications.</p> |
| <p>Advocate for legislative and regulatory amendments aimed at enhancing industry professionalism and consumer confidence.</p> | <p>Extensive review and analysis of the TIA and Regulations including:</p> <ul style="list-style-type: none"> • Registration criteria to address business risk • Advertising & compliance • Alternative forms of financing for the Compensation Fund • Minimum performance standards for Registrants and sales personnel | <p>Work with the Ministry in preparing and distributing a consultation paper to all stakeholders.</p> <p>Submit to the government TICO's specific proposals for legislative reform by Fall 2000.</p> |

TICO REVENUE & EXPENSE FORECAST

| | Business Plan 2000/2001 | Business Plan 2001/2002 | Business Plan 2002/2003 |
|--|----------------------------|----------------------------|----------------------------|
| REVENUES | | | |
| Registration Fees | 853,000 | 1,043,000 | 853,000 |
| Semi-Annual Assessments | 3,340,000 | 2,200,000 | 2,450,000 |
| Interest | 850,000 | 850,000 | 850,000 |
| Total Revenues | 5,043,000 | 4,093,000 | 4,153,000 |
| OPERATING EXPENSES | | | |
| Compensation Fund Claims and Insurance | 1,621,000 | 1,621,000 | 1,621,000 |
| Salaries & Benefits | 865,000 | 875,000 | 895,000 |
| Administration | 725,000 | 740,000 | 750,000 |
| Industry Initiatives | 560,000 | 450,000 | 450,000 |
| Inspections & Compliance | 372,000 | 383,000 | 395,000 |
| Total | 4,143,000 | 4,069,000 | 4,111,000 |
| Excess receipts over payments | 900,000 | 24,000 | 42,000 |
| Net Compensation Fund/TICO assets at beginning of period | 16,850,000 | 17,750,000 | 17,774,000 |
| Total Compensation Fund/TICO assets | 17,750,000 | 17,774,000 | 17,816,000 |
| Compensation Fund/TICO Assets Breakdown | | | |
| Compensation Fund Asset | 16,955,500 | 16,963,250 | 17,192,500 |
| TICO Asset | 794,500 | 810,750 | 623,500 |
| Total | 17,750,000 | 17,774,000 | 17,816,000 |

NOTES TO REVENUE & EXPENSE FORECAST

1. Registration Fees are based on historical information over the past 5 years.
2. Compensation Fund semi-annual assessments are based on .50/1000 for wholesale and .25/1000 for retail for 2000/2001. For subsequent years, assessment rates will be set to ensure Fund maintained at required level.
3. Expenses include combined TICO and Compensation Fund operation.
4. Compensation Fund claims are estimated at \$100,000 per month plus cost of insurance protection.
5. Interest rate assumed to be 5% per annum.
6. Industry initiatives includes the legislative and regulatory review, consumer awareness campaign and minimum standards.

TICO BOARD OF DIRECTORS 1999-00

Industry Representatives

Neil Winter, CTC - Chair
Executive Director
Travel T-Comm
Mississauga

Peter Linnett - Vice Chair
Director, Special Projects
Regent Holidays Limited
Mississauga

Trish McTavish
Vice President Sales
McTavish Travel
Oakville

Robert Van Kleek
President
Pathway Tours
London

Gordon Waugh
Chairman
The Holiday Network
Toronto

Frank Dennis
President & CEO
Uniglobe Travel (Eastern Canada)
Mississauga

Douglas A.E. Hamer
President
Red Seal Tours
Toronto

Bruce Hood
President
Bruce Hood Travel
Milton

Moe Jeppesen
President
Sherwood Village Travel
Mississauga

Robert McChlery, CTC
Regional Sales Manager, Canada
Barbados Tourism Authority
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Jill Wykes
Director of Sales
North American Leisure Group
Toronto

Ministerial Appointments

Sue Corke
Assistant Deputy Minister
Business Division
Ministry of Consumer and
Commercial Relations
Toronto

W.H. Bruce Fraser, CA
Management Consultant
Toronto

Marilynne Day-Linton, CA
Consultant
Toronto

Donald Slinger
Immediate Past President
Canadian Snowbird Association
Toronto

Committee Chairs

Neil Winter
Executive Committee

Peter Linnett
Business Strategy Committee

Marilynne Day-Linton, CA
Complaints Committee

Frank Dennis
Legislative & Regulatory
Review Committee

W.H. Bruce Fraser, CA
Audit Committee

W.H. Bruce Fraser, CA
Alternate Funding Committee

Sue Corke
Minimum Standards Committee

W.H. Bruce Fraser, CA
Compensation Fund Committee

Gordon Waugh
E-Commerce Committee

Officers

Neil Winter, CTC
Chair

Peter Linnett
Vice Chair

Michael Pepper
President & Chief Executive Officer

Mary-Ann Harrison, CA
Treasurer

Heather Plewes, LL.B.
Corporate Secretary & Counsel

Statutory Appointments

Michael Pepper
Statutory Director,
Travel Industry Act

Michael Pepper
Statutory Registrar,
Travel Industry Act

For more information please contact:



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