

Progressive Homes Ltd. v. Lombard General Insurance Co. of Canada, 2010 SCC 33

Date: September 23, 2010

September 23, 2010 - This morning the Supreme Court of Canada released its decision in *Progressive Homes Ltd. v. Lombard General Insurance Co.*, on review from the British Columbia Court of Appeal (the decision may be found online at <http://www.canlii.org/en/ca/scc/doc/2010/2010scc33/2010scc33.html>). The Supreme Court has overturned the decision of the BC Court of Appeal, and has ruled that Lombard owed a duty to defend to its insured, Progressive Homes Ltd.

This decision is of critical importance for liability insurers in Canada, as it resolves divergent lines of case law which have emerged across the country in respect of coverage for claims alleging construction deficiencies.

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