



Contact Info

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Assistant

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Practice Areas

Commercial and Real Property
Litigation

Construction

Debt Collection

Estate Litigation

Insurance

Shareholder and Partnership
Disputes

Bar Admission

2008, British Columbia

2004, Florida (no longer active)

Education

2004, J.D., Tulane Law School

2001, B.A. (Honors), Queen's

NICHOLAS M. SAFARIK, PARTNER

Nick's practice and experience is focused on wills and estates litigation, insurance defence and general commercial litigation. Within his breadth of experience, he holds particular knowledge in matters related to wills and estates litigation claims, personal injury claims, advancing subrogated claims on behalf of the insurers and third party property disputes.

Nick was born and raised in Vancouver. After receiving his B.A. (Honors) from Queen's University, Nick obtained his J.D. from Tulane Law School in New Orleans, Louisiana. In 2004, Nick was called to the Florida Bar and practised briefly in Miami, before returning to Vancouver in order to pursue his Canadian legal credentials.

Nick provides legal services through the Nick Safarik Law Corporation.

REPRESENTATIVE CLIENT WORK

Wills & Estates Litigation

Nick's representative experience in this area includes:

- Advising clients with respect to wills variation claims and disputes over ownership of joint assets
- Advising clients with respect to alleged misuse of Powers of Attorney, and investigations by the Public Guardian and Trustee
- Committeeship applications
- Undue influence and incapacity claims
- Passing of Executor and Trustee accounts
- Breach of fiduciary duty cases

Insurance

Nick has over ten years of experience in both defending against third party property and personal injury claims and advancing subrogated claims on behalf of insurers. Recent experience in this area includes the successful defence of a security



University

Languages

English

company against claims of negligence and breach of contract following a four-day Supreme Court trial (*Ledcor Construction Limited v. Polo Security Services Ltd.* 2012 BCSC 222). Representative experience in this area also includes:

- Assisting senior counsel in the successful defence of a multi-million dollar property loss claim resulting from a propane explosion at a logging camp (*Slocan Forest Products Ltd. v. Trapper Enterprises Ltd.* 2009 BCSC 1175)
- Defending contractors in multi-party property damage claims involving sprinkler and building envelope failures
- Defending commercial property owners against slip and fall claims
- Defending strata council members against allegations of breach of duty, breach of contract and negligence from strata property owners
- Defending ocean and trucking carriers in claims relating to loss of damage of cargo in multi-modal transportation
- Defending against first party claims for insurance coverage on the basis of material misrepresentation or fraud
- Preparing coverage opinions involving CGL (Commercial General Liability) insurance policies

HONOURS & AWARDS

Presented to the BC Society of Fellows of the Insurance Institute of Canada on the pollution exclusion and efficacy exclusion

PROFESSIONAL AFFILIATIONS

Member, Law Society of British Columbia

Member, Canadian Bar Association (BC)

NEWS

February 13, 2023

Recognizing Black History Month in Canada

January 20, 2023

Happy Lunar New Year!

November 23, 2022

Alexander M. Lee is Called to the British Columbia Bar

November 15, 2022

RBS Launches Appellate Advocacy Practice

VANCOUVER OFFICE:

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SURREY OFFICE:

200 - 10233 153 STREET
SURREY, BC CANADA V3R 0Z7
TEL: 604.582.7743 FAX: 604.582.7753

April 4, 2022

Robert J. Ellis & Jessie J. Skinnider Featured in B.C. Take Five

February 1, 2022

Happy Lunar New Year!

September 13, 2021

Vote for RBS' Personal Injury Team for Best Lawyer When Accident Strikes!

June 9, 2021

C. Nicole Mangan & Jessie Skinnider Published in Office Space Magazine

April 1, 2020

Summer Student Jessie J. Skinnider Called to the Bar and Appointed to the Firm

January 12, 2018

RBS Welcomes Three New Partners

EVENTS

February 18, 2022

Honouring February's Black History Month

March 23, 2021

Employment & Human Rights Virtual Seminar - 2020 A Year to Remember and Beyond ...

October 7, 2020

RBS a Premier Sponsor of HUB Cycling's Fall Bike to Work Week

June 23, 2016

Nicole Mangan and Nick Safarik present to the BC Society of Fellows on the Pollution Exclusion and Efficacy Exclusion.

May 18, 2016

Insurance Law Basics - Advising Your Businesses

PUBLICATIONS

March 24, 2022

Ontario Court of Appeal Affirms Narrow Application of "Total Pollution Exclusion" and Addresses Standard of Appellate Review of Standard Form Contracts

June 21, 2021

RBS Wins Landmark Decision: Government Liable for Trademark Infringement

October 22, 2020

Statutory Condition 1 - The Truth, the Half-Truth and the Outright Lie: Why questions insurers ask are as important as answers insureds provide



August 23, 2018

Accidental Underwriting: Insurers Bound By Broad Coverage Provision Included in Error

June 10, 2016

Firefighting Cost Recovery

August 21, 2015

B.C. Court of Appeal Applies Pollution Exclusion Clause in CGL Policy

December 12, 2014

A Canadian First: Supreme Court Recognizes Duty of Honest Performance of All Contractual Obligations

June 1, 2014

Nicholas Safarik is published in the Verdict

March 26, 2014

Nicholas Safarik, of RBS, writes for The Lawyers Weekly

March 13, 2014

The Relentless Pursuit of Ambiguity

December 19, 2013

Time for Occupiers to Rejoice

November 1, 2013

RBS Insurance Law Group featured in 2013 Litigation Forum of Insurancewest Magazine



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