

ALBERTA INSURANCE COUNCIL  
(the "AIC")

In the Matter of the *Insurance Act*, R.S.A. 2000, Chapter I-3  
(the "Act")

And

In the Matter of Juan Zi Guo  
(the "Agent")

**AGREED STATEMENT OF FACTS AND JOINT SUBMISSION**

WHEREAS the Alberta Insurance Council (the "AIC") undertook a review of the Agent's licensing records, during which review information came to light that indicated that the Agent had been acting as a general insurance agent while unlicensed;

AND WHEREAS the review established that the Agent sold insurance policies during the period from November 1, 2013 to and including November 19, 2014, without a valid and subsisting Certificate of Authority and was compensated for acting as a general insurance agent by Canada BrokerLink Inc. ("BrokerLink");

AND WHEREAS the Agent is aware of the opportunity to retain and instruct legal counsel with respect to the matters referred to in this Agreed Statement of Facts and Joint Submission;

NOW THEREFORE the Agent and the Investigator agree as follows:

- 1.0 For the purposes of this Agreed Statement of Facts and Joint Submission, the Agent makes the following admissions and submissions:
  - 1.1.1 The Agent is the holder of Certificate of Authority (I-143517-983-2014) to transact business as a General Insurance Agent and has been licensed since March 22, 2012, other than for the period from November 1, 2013 to and including November 19, 2014;
  - 1.1.2 On November 18, 2014, the AIC received an Application For General Insurance Agents Certificate of Authority dated November 14, 2014 to sell general insurance from the Agent;
  - 1.1.3 The AIC sent a letter to the Agent dated March 23, 2015, which requested details as to the number of insurance policies the Agent sold between November 1, 2013 to and including November 19, 2014, as well as details in relation to the compensation she had received for doing so;
  - 1.1.4 The Agent sent an email to the AIC dated April 7, 2015, advising the AIC that her former employer, namely BrokerLink, refused to release information to her

regarding the number of policies she sold through BrokerLink during the unlicensed period of time;

- 1.1.5 The AIC sent a letter to Colleen Foley (“CF”), Designated Representative with BrokerLink dated April 9, 2015, which requested details as to the number of insurance policies the Agent sold between November 1, 2013 to and including November 19, 2014, as well as details in relation to the compensation the Agent had received for doing so;
- 1.1.6 CF sent a letter to the AIC dated April 21, 2015, advising the AIC that the Agent sold a total of 21 insurance policies during the period of time she was unlicensed and received a salary income in the amount of \$3,666.66 per month;
- 1.1.7 In response to letters from the AIC dated April 22, 2015 and April 24, 2015, Wawanesa Mutual Insurance Company, Peace Hills General Insurance Company, Novex Insurance Company and Intact Insurance Company, all of which confirmed that the Agent sold insurance policies through BrokerLink. The total amount of policies the Agent sold through all of the above-noted insurance companies was 21.

- 2.0 As a result of the facts set out in this Agreed Statement of Facts and Joint Submission, the Agent contravened section 452 (2) of the Act, and consequently violated section 480 (1) (b) of unlicensed activity.
- 3.0 The Agent and the Investigator jointly recommend to the General Insurance Council (“Council”) that the Council approve this Agreed Statement of Facts and Joint Submission and resolve, dispose of and finally conclude this matter involving the Agent by approving a decision in the form annexed hereto as Schedule 1, which provides for a civil penalty in the amount of \$300.00, in accordance with the penalties prescribed in section 13 (1) (b) of the Certificate Expiry, Penalties and Fees Regulation, A.R. 125/2001.
- 4.0 The Agent recognizes that the acceptance of the decision set out in Schedule 1 shall be at the unfettered discretion of the Council.
- 5.0 The Agent is aware of and acknowledges that upon receiving notification of the Council’s decision, the civil penalty specified in Schedule 1 must be paid within the time frames set out in section 480 (4) of the Act.
- 6.0 The Agent is also aware of and acknowledges that by entering into this Agreed Statement of Facts and Joint Submission, the Agent waives her right to appeal this decision as set out in section 482 of the Act.
- 7.0 The Agent waives any existing right she may have under the Act or otherwise to a hearing, review, judicial review or appeal of this matter.

- 8.0 The Agent acknowledges that this Agreed Statement of Facts and Joint Submission may be referred to in this or any other proceeding under the Act, and in regulatory proceedings in other jurisdictions.
- 9.0 The Agent recognizes that this Agreed Statement of Facts and Joint Submission resolves all issues involving the Agent in this matter only, as the matter is described above.

Dated at the City of Edmonton, in the Province of Alberta this 8<sup>th</sup> day of June, 2015.

ALBERTA INSURANCE COUNCIL  
PER:

Original Signed By  
Trisha Lunt, Investigator

Dated at the City of Calgary, in the Province of Alberta, this 10<sup>th</sup> day of July, 2015.

Original Signed By  
Juan Guo, Agent

**In the presence of:**

Signed  
Signature of Witness

\_\_\_\_\_  
Name of Witness (please print)

**SCHEDULE 1**

ALBERTA INSURANCE COUNCIL  
(the "AIC")

In the Matter of the *Insurance Act*, R.S.A. 2000, Chapter I-3  
(the "Act")

And

In the Matter of Juan Zi Guo  
(the "Agent")

DECISION OF  
The General Insurance Council  
(the "Council")

WHEREAS the Investigator of the Alberta Insurance Council ("AIC") made a request for information in relation to an investigation being conducted by the AIC into the Agent acting as an insurance agent to sell general insurance policies while unlicensed;

AND WHEREAS as a result of information received, the Investigator and the Agent entered into an Agreed Statement of Facts and Joint Submission, a copy of which is attached hereto;

AND WHEREAS pursuant to the Agreed Statement of Facts and Joint Submission, the Agent has agreed that she will pay a civil penalty in the amount of THREE HUNDRED DOLLARS (\$300.00) and has acknowledged that the Council has the discretion to accept or reject that recommendation;

AND WHEREAS the Council considers that it would be in the public interest to approve the said Agreed Statement of Facts and Joint Submission;

IT IS ORDERED that:

1. The Agreed Statement of Facts and Joint Submission be accepted and is hereby approved; and
2. The Agent pay a fine of THREE HUNDRED DOLLARS (\$300.00), in accordance with the terms and conditions set out in the Agreed Statement of Facts and Joint Submission.

The attached Agreed Statement of Facts and Joint Submission was reviewed by the Council and a motion to approve this decision was made and carried at a properly conducted meeting of the General Insurance Council. The motion was duly recorded in the minutes of that meeting.

Date : August 5, 2015

\_\_\_\_\_  
Original Signed By  
Louise Clare, Chair  
General Insurance Council