

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 Anjandeeep Kaur
(the "DR")

AGREED STATEMENT OF FACTS AND JOINT SUBMISSION

WHEREAS the AIC undertook a review of the errors and omissions ("E&O") information that an agent disclosed to the AIC on the agent's renewal application. A further review determined that the DR provided the agent with the incorrect E&O information that the agent declared to the AIC;

AND WHEREAS the review established that the DR provided the incorrect E&O information to all of the agents employed through the agency and therefore failed to manage the agency;

AND WHEREAS the DR 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 DR, and the Investigator agree as follows:

- 1.0 For the purposes of this Agreed Statement of Facts and Joint Submission, the DR makes the following admissions and submissions:
 - 1.1.1 The DR is the holder of Certificate of Authority (K-142955-2018) as the designated representative for A-Kan Insurance Ltd. (the "Agency") and has been since October 14, 2016 for general insurance;
 - 1.1.2 On April 30, 2018, the AIC sent an email to the DR requesting that she confirm that she provided the agents employed through the Agency with the incorrect E&O information. On April 30, 2018, the DR confirmed that she provided her "staff" with the incorrect E&O information. The DR explained that she "mixed up" the general agents with the name of the E&O carriers for life insurance agents.
- 2.0 As a result of the facts set out in this Agreed Statement of Facts and Joint Submission, the DR contravened section 10 (2) (c) of Regulation 122/2001, and consequently violated section 480 (1) (b) of the Act for failing to manage the Agency as the DR provided the agents employed through the Agency with incorrect E&O information, which information the agents relied on and entered on to the AIC's licensing portal.
- 3.0 The DR and the Investigator jointly recommend to the General Insurance Council (the "Council") that the Council approve this Agreed Statement of Facts and Joint Submission and resolve, dispose of and finally conclude this matter involving the DR by approving a decision in the form annexed hereto as Schedule 1, which provides for a civil penalty in the amount of \$500.00 in accordance

with the penalties prescribed in section 13(1)(b) of the Certificate Expiry, Penalties and Fees Regulation, AR 125/2001.

- 4.0 The DR recognizes that the acceptance of the decision set out in Schedule 1 shall be at the unfettered discretion of the Council.
- 5.0 The DR 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 DR is also aware of and acknowledges that by entering into this Agreed Statement of Facts and Joint Submission, the DR waives her right to appeal this decision as set out in section 482 of the Act.
- 7.0 The DR 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 DR 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 DR recognizes that this Agreed Statement of Facts and Joint Submission resolves all issues involving the DR in this matter only, as the matter is described above.

Dated at the City of Edmonton, in the Province of Alberta this 19th day of July, 2018.

ALBERTA INSURANCE COUNCIL

PER:

[Original signed by]

Trisha Lunt, Investigator

Dated at the City of Edmonton, in the Province of Alberta, this 25th day of July, 2018

[Original signed by]

Anjandeep Kaur, Designated Representative

In the presence of:

[Original signed by P.G.]

Signature of Witness

[P.G.]

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 Anjandeep Kaur
(the "DR")

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 an errors and omission ("E&O") audit;

AND WHEREAS as a result of information received, the Investigator and the DR 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 DR has agreed that the DR will pay a civil penalty in the amount of FIVE HUNDRED DOLLARS (\$500.00) in relation to the DR providing the agents employed through her agency with E&O information that was inaccurate 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 DR pay a fine of FIVE HUNDRED DOLLARS (\$500.00) in accordance with the terms and conditions set out in this 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: September 5, 2018

[Original signed by]

Amanda Sawatzky, Acting Chair
General Insurance Council