

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 Miles Allen Wright  
(the "Former Agent")

**AGREED STATEMENT OF FACTS AND JOINT SUBMISSION**

WHEREAS the AIC conducted an investigation into allegations against the Former Agent from his former agency (the "Agency");

AND WHEREAS the findings of the investigation indicated that the Former Agent had made false representations;

AND WHEREAS the Former 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 Former Agent and the investigator agree as follows:

- 1.0 For the purposes of this Agreed Statement of Facts and Joint Submission, the Former Agent makes the following admissions and submissions:
  - 1.1.1 The Former Agent was the holder of Certificate of Authority (I-207063) to transact business as a Level 2 General Insurance Agent. The Former Agent was licensed from April 4, 2006 until January 31, 2019, when the Agency notified the AIC of the Former Agent's resignation.
  - 1.1.2 The Former Agent was employed by the Agency from June 13, 2017 until he resigned on January 21, 2019.
  - 1.1.3 While employed by the Agency, the Former Agent made false representations pertaining to two policies: a commercial auto policy ("Commercial Policy") and personal home policy ("Home Policy").
  - 1.1.4 In June 2018, the Agency received notice from the insurer that the Commercial Policy had been canceled for non-payment, effective April 6, 2018. The Former Agent documented the cancellation notice in the Agency's broker management system on June 6, 2018. The formerly-insured was not contacted regarding the cancellation by the Agency or the Former Agent.
  - 1.1.5 On August 3, 2018 and November 22, 2018, at the requests of the formerly-insured, the Former Agent provided several pink cards for vehicles that would have been covered under the cancelled Commercial Policy.

1.1.6 On January 23, 2019, the insurer subsequently reinstated the Commercial Policy back to the renewal date of April 6, 2018.

1.1.7 A replacement of the Agency's broker management system and confusion with a separate active commercial policy insuring the same client contributed to the Commercial Policy false representations but the Former Agent took accountability, stating:

*"I was paying more attention to getting the information out. I didn't realize or wasn't reading the policy screens to notice the cancellation by it. It totally rests on my shoulders. I should have caught that, and I didn't."*

1.1.8 With regards to the Home Policy, the insured made a number of requests to have an endorsement removed from the policy.

1.1.9 On December 9, 2018, the Former Agent manually replaced the endorsement premium cost with the word "DELETED" on the Home Policy's cover page and emailed it to the insured in an attempt to appease the insured; however, the Former Agent did not relay the request to the insurer.

1.1.10 The Agency subsequently removed the endorsement and the revision was made by the insurer on January 23, 2019.

1.1.11 The Former Agent does not intend on returning to the insurance industry and stated the following:

*"I'm sorry that this all happened, and I regret my actions and I would like to close this chapter obviously because it has weighed on me and my family over the time."*

1.1.12 The Agency's representative, who submitted the allegation to the AIC, stated that she does not believe the Former Agent had malicious intent and confirmed the Former Agent could not have benefited financially from his actions.

1.1.13 The Former Agent has not been previously disciplined by the AIC.

2.0 As a result of the facts set out in this Agreed Statement of Facts and Joint Submission, the Former Agent contravened section 509 (1) (a) of the Act, and consequently violated 480 (1) (b) of the Act, on multiple occasions, by making false representations.

3.0 The Former Agent and the investigator jointly recommend to the 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 Former Agent by approving a decision in the form annexed hereto as Schedule 1, which provides for a civil penalty in the amount of \$2,000.00, 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 Former Agent is not presently licensed. The Former Agent would be required to apply for a certificate of authority, which would be reviewed by Council.

5.0 The Former Agent recognizes that the acceptance of the decision set out in Schedule 1 shall be at the unfettered discretion of the Council.

- 6.0 The Former 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.
- 7.0 The Former Agent is also aware of and acknowledges that by entering into this Agreed Statement of Facts and Joint Submission, the Former Agent waives their right to appeal this decision as set out in section 482 of the Act.
- 8.0 The Former Agent waives any existing right they may have under the Act or otherwise to a hearing, review, judicial review or appeal of this matter.
- 9.0 The Former 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.
- 10.0 The Former Agent recognizes that this Agreed Statement of Facts and Joint Submission resolves all issues involving the Former Agent in this matter only, as set out herein.
- 11.0 This Agreement can be executed in several counterparts, each of which will be treated in the same way as an original, and all the counterparts will together make a single agreement.
- 12.0 This Agreement can be executed and exchanged by facsimile or other electronic means and in such a way is binding as if original signatures were used.

Dated at the City of Calgary, in the Province of Alberta this 14th day of May, 2020.

ALBERTA INSURANCE COUNCIL  
PER:

[Original signed by]  
Michael Stitt, Investigator

Dated at the City of Medicine Hat, in the Province of Alberta this 13th day of May, 2020.

[Original Signed By]  
Miles Allen Wright, Former  
Agent

**In the presence of:**

[M.W.] (redacted)  
Signature of Witness

[[M.W.] (redacted)  
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 Miles Allen Wright  
(the "Former Agent")

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

WHEREAS the investigator of the AIC made a request for information in relation to an investigation being conducted by the AIC into the Former Agent for false misrepresentations;

AND WHEREAS as a result of information received, the investigator and the Former 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 Former Agent has agreed that the Former Agent will pay a civil penalty in the amount of TWO THOUSAND DOLLARS (\$2,000.00) 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 Former Agent pay a fine of TWO THOUSAND DOLLARS (\$2,000.00), 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 The Life Insurance Council. The motion was duly recorded in the minutes of that meeting.

Date: June 25, 2020

[Original Signed By]  
[Amanda Sawatzky]  
Chair General Insurance Council