

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 Christine Richard
(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, in response to an application received from the Agent where the Agent indicated that the Agent had been acting as an insurance agent while unlicensed;

AND WHEREAS the review established that the Agent sold 14 (fourteen) general insurance policies during the period of March 2, 2021, to May 11, 2021 inclusive (the “unlicensed period”) without a valid and subsisting Certificate of Authority and was compensated for acting as an insurance agent by Co-operators General Insurance Company (“CGIC”);

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 The Agent was the holder of a Certificates of Authority (G-204872) to transact business as a General – Level 2 insurance Agent. The Agent was licensed from December 7, 2017, to August 26, 2021, excluding the unlicensed period;
 - 1.2 On May 7, 2021, the AIC received an application from the Agent for renewal of the General Certificate of Authority. A review of the Agent’s declarations revealed that the Agent did not apply for a transfer of the Certificates of Authority when CGIC took ownership of the agency;

- 1.3 On August 17, 2021, the AIC sent a letter to the Agent which requested details as to the number of insurance policies the Agent sold in the unlicensed period as well as details in relation to the compensation the Agent had received for doing so;
- 1.4 On August 20, 2021, the Agent responded and confirmed that she had sold 14 (fourteen) General insurance policies, and was compensated by way of salary from CGIC for those sales made during the unlicensed period;
- 1.5 On December 15, 2021, the investigator wrote to CGIC who confirmed the above details;
- 1.6 The Agent acknowledges the seriousness of this matter. There was one transfer fee of \$25.00 that was missed for the unlicensed period;
- 1.7 The Agent acknowledges and regrets the mistake and is aware that any future occurrences may result in a potential fine amount as high as \$1,000.00 per each unlicensed day;
- 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 the Act for unlicensed activity.
- 3.0 The Agent and the investigator jointly recommend to the 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 Agent by approving a decision in the form annexed hereto as Schedule 1, which provides for a civil penalty in the amount of \$700.00, 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 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 their right to appeal this decision as set out in section 482 of the Act.
- 7.0 The Agent waives any existing right they 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 set out herein.
- 10.0 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.
- 11.0 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 Edmonton, in the Province of Alberta this 22 day of December 2021.

ALBERTA INSURANCE COUNCIL
PER:

[Original Signed By]
JILL STUCHLIK, Investigator

Dated at the City of Calgary, in the Province of AB this 29 day of December 2021.

[Original Signed By]
CHRISTINE RICHARD, Agent

In the presence of:

[Original Signed By]
Signature of Witness

[M.M]
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 CHRISTINE RICHARD
(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 about the Agent selling General insurance policies while unlicensed;

AND WHEREAS the information received resulted in the Investigator and the Agent entering 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 to pay a civil penalty in the amount of SEVEN HUNDRED DOLLARS (\$700.00) 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 SEVEN HUNDRED DOLLARS (\$700.00) 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 Council. The motion was duly recorded in the minutes of that meeting.

Date: February 9, 2022

[Original Signed By]
Chair General Insurance Council