

**INSURANCE COUNCILS APPEAL BOARD OF ALBERTA**

In the Matter of the *Insurance Act*, R.S.A. 2000, Chapter I-3, as amended  
and  
In the Matter of the *Insurance Councils Regulation*, 126/2001, as amended

BETWEEN:

**CAMILLE CABALLES**

Appellant

-and-

**THE INSURANCE ADJUSTERS COUNCIL**

Respondent

**DECISION AND ORDER**

1. On February 3, 2022, the Superintendent of Insurance assigned a panel ("the Appeal Panel") of the Insurance Councils Appeal Board to hear Camille Caballes' ("the Appellant") appeal of the December 8, 2021 decision of the Insurance Adjusters' Council.
2. On February 17, 2022, the Appeal Panel received written notice from Legal Counsel for the Insurance Adjusters' Council indicating that the Council wished to withdraw the complaint against the Appellant as it related to the December 8, 2021 decision.
3. The Appellant advised the Panel on February 18, 2022 that she was in agreement with the withdrawal of the complaint.
4. Having reviewed the written submissions of both parties, the Appeal Panel is satisfied that requirements of section 481 of the *Insurance Act*, which were the subject of the December 8, 2021 decision, are no longer at issue. As such, no civil penalty is to be levied or payable by the Appellant.

**Appeal Fee**

5. Section 24 of the *Insurance Councils Regulation* provides that, in determining an appeal, a panel shall also determine the allocation of the appeal fee paid by the Appellant to commence the appeal to one or both of the parties taking into consideration both the results of the appeal and the conduct of the parties. Given the result, the Appeal Panel is of the view that the appeal fees paid to the Superintendent of Insurance in respect of the

Appellant's appeal should be awarded to the Appellant.

**Order**


6. For the reasons set out above, it is ordered that:


- a. The complaint against the Appellant has been withdrawn by the Insurance Adjusters Council and no civil penalties are payable by the Appellant.
- b. The appeal fee is awarded to the Appellant.

DATED at Calgary, Alberta this 28th day of February 2022.

INSURANCE COUNCILS APPEAL BOARD OF ALBERTA

Per:   
Thomas Kent, Appeal Panel Chair

Per:   
Bob Pearson, Panel Member

Per:   
Lewis Moorman, Panel Member