

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 Cameron Taylor  
(the "Agent")

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

This matter involves alleged violations of s. 480(1)(a) of the Act. Specifically, it is alleged that the Agent submitted seven (7) insurance applications which the clients did not agree to, contained false client information, and the Agent electronically signed, pretending to be the client.

Additionally, it is alleged that the Agent violated s. 480(1)(a) of the Act, in that the Agent submitted eleven (11) insurance applications that were electronically signed by another agent, pretending to be the client.

Finally, it is alleged that the Agent violated s. 480(1)(a) of the Act, in that the Agent electronically signed one (1) insurance application, pretending to be the client.

As such, it is alleged that the Agent acted contrary to s. 480(1)(a) of the Act and is guilty of fraud, deceit, dishonesty, untrustworthiness, and/or misrepresentation.

**Facts and Evidence**

The matter proceeded to Council by way of a written Report to Council dated September 26, 2024 (the "Report"). The Report was forwarded to the Agent for review and to allow the Agent to provide the Council with any further evidence or submissions by way of Addendum. In arriving at their conclusion, the Council carefully weighed all of the evidence presented.

The Agent held Life and Accident and Sickness (A&S) certificates of authority from May 2, 2022, to May 3, 2023.

The AIC commenced an investigation in response to an email dated February 17, 2023, from [R.H.] [redacted] and [S.H.] [redacted] (hereinafter, collectively referred to as the “Complainants”), which stated the following:

[...]

My [spouse] [redacted], [S.H.] [redacted] (hereinafter “Client 1”), works at [P.T.A.] [redacted].

That company is associated with [A.I.L.I.C.] [redacted] (hereinafter the “Insurer”); they contacted us over a year ago asking if we need insurance from them. We mentioned we already had coverage [...] but that we would like to compare their policies with our current ones [...]. We had a zoom meeting with 3 representatives from [the Insurer] [redacted] in September 2022. We didn’t agree to any policy. We didn’t give any banking information. We didn’t give our SIN. We didn’t give our driver’s license numbers. [...] we let [the Insurer] [redacted] know that we would not be pursuing any coverage with them, however since then we have received numerous physical mail showing what appears to be approved insurance policies with [the Insurer] [redacted]. Things recently are starting to get weird, and have crossed the line into fraud I’m pretty sure.

Have a look at the attached document where they’ve made up Social Insurance Numbers and drivers license numbers for both [Client 1] [redacted] and I, and even forged our signatures. They have our kids names on the document as well. The document looks like it is designed to fool us into signing on with them. The document has our false personal information (drivers license number, forged signatures, fake SIN etc.) We’ve asked them to stop sending us any more mail and remove our contact info from their mailing lists. This isn’t working.

[...]

In the same email of February 17, 2023, the Complainants provided a copy of Policy Number CD\*\*\*\*981 [redacted] (hereinafter “Policy 981”), in the name of Client 1.

Policy 981 in the name of Client 1 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 1] [redacted]	October 17, 2022	CD****981 [redacted]	Email Address of Client: Sko*****ss@gmail.com [redacted]  Email Address on DocuSign Signature: C*****37@gmail.com [redacted]

On February 23, 2023, the AIC investigator requested the following information from the Complainants:

[...]

I will investigate the matter regarding [the Insurer] [redacted] agents under my file number [...]. To assist in my investigation, please provide the following documents and/ or information:

- Any/all correspondence with [the Insurer] [redacted] and their agents/affiliates; and,
- Any/all documents mailed to you by [the Insurer] [redacted] regarding this matter; and,
- Quotes provided to you; and,
- A copy of your driver’s licenses; and,
- Any other documents you feel may help my understanding of the material facts.

[...]

On February 24, 2023, the Complainants provided the following to the AIC investigator:

[...]. Our end goal is: We don't want to hear from them again and we are glad you are seeing the mail they are sending us as I'm sure that something very unusual is happening (fake SIN's, fake drivers license numbers, erroneous typos with our mailing address, phone numbers etc.)

[...]. As I've stated earlier, we did not sign up with [the Insurer] [redacted] we just want their physical mail to stop (a request by us which has gone ignored by them) and we want to ensure our privacy is protected. Attached are the PDF's of all the physical mail we've receive and our drivers licenses. That's pretty much it as far as communication goes that we have received.

[...]

In the same email of February 24, 2023, the Complainants provided the following insurance policies:

1. Policy Number CD\*\*\*\*942 [redacted] (hereinafter "Policy 942") in the name of Client 1, and
2. Policy Number CD\*\*\*\*943 [redacted] (hereinafter "Policy 943"), in the name of [R.H.] [redacted] (hereinafter "Client 2").

Policy 942, in the name of Client 1 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 1] [redacted]	October 17, 2022	CD****942 [redacted]	Driver's License Number: *****325 [redacted]  SIN: ***-***-621 [redacted]  Email Address of Client: Sko*****ss@gmail.com [redacted]  Email Address on DocuSign Signature: C*****37@gmail.com [redacted]

Policy 943, in the name of Client 2 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 2] [redacted]	October 17, 2022	CD****943 [redacted]	Driver's License Number: *****091 [redacted]  SIN: ***-***-904 [redacted]  Email Address of Client: Sko*****ss@gmail.com

			[redacted]  Email Address on DocuSign Signature: C*****37@gmail.com [redacted]
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On March 3, 2023, the AIC investigator requested the following information from the Complainants:

[...]

Could you confirm the agent(s) name(s) you were speaking with regarding quotes? Please provide any/all correspondence between the agent(s) regarding this matter.

[...]

On March 6, 2023, the Complainants provided the AIC investigator with the following information:

[...]

Here's what I can provide to help with your question: My [Client 1] [redacted] was asked by representatives at [the Insurer] [redacted] to have a zoom meeting to go over their policies, as sort of a first introductions courtesy call. During that zoom meeting, there were three people acting on behalf of [the Insurer] [redacted] and their names are:

Cameron Taylor

[M.A.A.] [redacted]

[M.B.A.] [redacted]

We don't have any email correspondence with them and the zoom meeting was planned over the phone.

[...]

On April 25, 2023, the Insurer provided the following information to the AIC investigator:

[...]

**[The Insurer's] [redacted] procedures surrounding docusigned document verification.**

DocuSign signing software is integrated into [the Insurer's] [redacted] electronic application software. During the application process, the agent obtains an email address from the customer. This email address is used to send the customer application forms for review and signature. After the customer reviews and completes the application by electronic signature, a DocuSign signature certificate is sent as verification to the Company.

**Relationship between Cameron Taylor, [redacted], and [Insurer's internal reference] [redacted]**

Cameron Taylor and [redacted] are the agents on record for the policies listed in your letter. These agents are independently contracted with [the Insurer] [redacted]. [...]

**Confirmation of the applications received for the complainants including how and when and DocuSign certificate of completion.**

[The Insurer] [redacted] received four applications for [the Complainants] [redacted] dated September 30, 2022, two applications dated October 17, 2022 and October 18, 2022. After review, we determined the personal information provided by agent Cameron Taylor for [the Complainants'] [redacted] applications was inaccurate. All policies issued for [the Complainants] [redacted] have been null and void, and all collected premiums have been credited to the bank account listed on the applications. [...]

**Any agent of record changes to change policies to [Insurer's internal reference] [redacted]**

There were no changes regarding the agent on record for these policies. Agents on record are Cameron Taylor [...].

**Any other information or documents you feel may be relevant**

Upon further review of the applications for [the Complainants] [redacted], it appears that Cameron Taylor provided inaccurate information for these applications. This included Social Insurance, driver's licenses, and phone numbers. The email address used to complete the DocuSign is also not valid. The inaccurate information provided by agent Cameron Taylor indicates that electronic signatures were completed by agent Cameron Taylor, not by [the Complainants] [redacted].

[...]

[Emphasis added in original document]

In the same email of April 25, 2023, the Insurer provided copies of the following insurance policies:

1. Policy Number CD\*\*\*\*599 [redacted] (hereinafter "Policy 599"), in the name of Client 1,
2. Policy Number CD\*\*\*\*600 [redacted] (hereinafter "Policy 600"), in the name of Client 2,
3. Policy Number CD\*\*\*\*944 [redacted] (hereinafter "Policy 944"), in the name of [G.H.] [redacted] (hereinafter "Client 3"),
4. Policy Number CD\*\*\*\*945 [redacted] (hereinafter "Policy 945"), in the name of [L.H.] [redacted] (hereinafter "Client 4"), and
5. Policy Number CD\*\*\*\*946 [redacted] (hereinafter "Policy 946"), in the name of Client 1.

Policy 599 in the name of Client 1 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 1] [redacted]	October 2, 2022	CD****599 [redacted]	Driver's License Number: *****325 [redacted]  SIN: ***_***-621 [redacted]  Email Address of Client: Sko*****ss@gmail.com [redacted]  Email Address on DocuSign Signature: C*****37@gmail.com [redacted]

Policy 600 in the name of Client 2 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
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[Client 2] [redacted]	October 2, 2022	CD****600 [redacted]	Driver's License Number: *****091 [redacted]  SIN: ***-**-904 [redacted]  Email Address of Client: Sko*****ss@gmail.com [redacted]  Email Address on DocuSign Signature: C*****37@gmail.com [redacted]
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Policy 944 in the name of Client 3 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 3] [redacted]	October 17, 2022	CD****944 [redacted]	Driver's License Number: *****325 [redacted]  SIN: ***-**-621 [redacted]  Email Address of Client: Sko*****ss@gmail.com [redacted]  Email Address on DocuSign Signature: C*****37@gmail.com [redacted]

Policy 945 in the name of Client 4 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 4] [redacted]	October 17, 2022	CD****945 [redacted]	Driver's License Number: *****325 [redacted]  SIN: ***-**-621 [redacted]  Email Address of Client: Sko*****ss@gmail.com [redacted]  Email Address on

			DocuSign Signature: C*****37@gmail.com [redacted]
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Policy 946 in the name of Client 1 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 1] [redacted]	October 17, 2022	CD****946 [redacted]	Driver's License Number: *****325 [redacted]  SIN: ***-**-621 [redacted]  Email Address of Client: Sko*****ss@gmail.com [redacted]  Email Address on DocuSign Signature: C*****37@gmail.com [redacted]

On March 15, 2023, the Agent provided the AIC investigator with the following information:

[...]

This client would have been seen during my training phase with [the Insurer] [redacted]. We would have contacted [the Complainants] [redacted] via phone to book an appointment and then sat with them via zoom.

All correspondence would have been via zoom, or platform we use for client meetings.

The only record I have after client appointment was a response back that the client's banking was wrong and the application was then not proceeded with, as clients did not want to proceed any further. No payments were made meaning no application was actually finalized for the clients.

[...]

On March 17, 2023, the AIC investigator requested the Agent provide the following:

[...]

After review of the below information, I have additional questions.

- Who was conducting your training?
- Was the zoom meeting recorded? If so, please provide.
- How was the meeting with the client initiated?
- How did you verify the clients identities?
- Provide any/all correspondence/documentation regarding the banking information being inaccurate & applications not proceeded with.

[...]

On March 30, 2023, the Agent provided the following information to the AIC investigator:

[...]

Training in our company is provided by multiple people. I don't have record of these clients being within the past 6 months, so I don't have an exact name.

Zoom meet is not recorded.

Client meeting would have been initiated as they were apart of some sort association, we give free accidental insurance and some other perks through the association, so the client would of got a certificate and all that sent to them because of their dealings with whatever association. If they wanted more, we would chat about that as well.

I'm going to go do digging into if I have anything, if not proceeded with we just send the free insurance perks. After 6 months we close the profiles directly. But I'll dig into my emails and see if I can get anything.  
[...]

On December 14, 2023, the AIC investigator requested the Insurer provide the following:

[...]

Further to AIC cases [...], regarding [the Complainants'] [redacted] complaint alleging false applications were submitted without their knowledge, I have some additional questions:

1. What is your standard process for the submission of applications? (please be specific)
2. How does [the Insurer] [redacted] identify which agent submits the application? If is uses identifying codes for the agents, how and when are those assigned?
3. Please provide [R.A.] [redacted] and [R.B.] [redacted] interviews/investigation file related to this matter.
4. What systems does [the Insurer] [redacted] have in place to verify the electronic signatures of the applicants and the agents?
5. Cameron Taylor:
  - a. Please provide a list of all business submitted by Cameron Taylor between May 6, 2022 and May 3, 2023 when she resigned.
  - b. Please provide a list of commissions earned, any chargebacks, any payments by Cameron for any debt, and current balance owing if any.

[...]

On February 5, 2024, the Insurer provided the following information to the AIC investigator:

1. A letter dated February 5, 2024 (hereinafter the "February 2024 Correspondence"), and
2. Interview/investigation file from [R.A.] [redacted] and [R.B.] [redacted] (hereinafter the "Insurer's Investigation Notes").

The February 2024 Correspondence provided the following information:

[...]

1. What is your standard process for the submission of applications? (please be specific)

[The Insurer's] [redacted] agents use the company provided software to complete applications and obtain customers signature. Once an agent and the customer complete the application, the agent uses the same software installed on his or her computer to send the application to the company. When the company receives the application, the review and underwriting process begins.



2. How does [the Insurer] [redacted] identify which agent submits the application? If it uses Identifying codes for the agents, how and when are those assigned?

- a) How does [the Insurer] [redacted] identify which agent submits the application?

Each agent uses his or her unique username and password to log into the software.

[The Insurer] [redacted] identifies which agent submitted the application based on their agent number and signature.

- b) If it uses Identifying codes for the agents, how and when are those assigned?

Each agent is assigned a unique code number by the Company when authorized to represent the company in the province in which agent is licensed.

3. [...]

4. What system does [the Insurer] [redacted] have in place to verify the electronic signatures of the applicants and the agents?

[The Insurer's] [redacted] electronic application software has an integrated third-party signature platform to ensure the proper collection of signatures. At the application process, the agent requests an email address from the customer, to which the electronic application is emailed to the customer for review and electronic signature. A DocuSign signature certificate is also sent to the company as verification.

[...]

The Insurer's Investigation Notes provided the following information:

[...]

When we reviewed the letter from the Alberta Insurance Council dated April 3, 2023, regarding [the Complainants'] [redacted] applications, we contacted agents who submitted applications on behalf of [the Complainants'] [redacted], this included [...] and Cameron Taylor. We also gather details from [...] and Cameron's manager, [...].

Cameron Taylor:

- Cameron Taylor submitted the following applications:
  - [Policy 599] [redacted] – [Client 1] [redacted], Application date 10/2/2022
  - [Policy 600] [redacted] – [Client 2] [redacted], Application date 10/2/2022
  - [...]
  - [Policy 942] [redacted] – [Client 1] [redacted], Application date 10/17/2022
  - [Policy 943] [redacted] – [Client 2] [redacted], Application date 10/17/2022
  - [Policy 944] [redacted] – [Client 3] [redacted], Application date 10/17/2022
  - [...]
- The email address, c\*\*\*\*\*37@gmail.com [redacted], used to collect customers' signatures on these applications is not [the Complainants'] [redacted] email. This email address belongs to Cameron Taylor.
- During a very brief conversation with Cameron, she stated she was unaware of any issues with the applications for [the Complainants] [redacted]. Cameron excused herself since she was in a public place with background noise. She said she would look through her records and schedule a call to review them.
- Many subsequent attempts were made to speak with Cameron Taylor; however, she was not responsive.
- It appears that Cameron Taylor used invalid information for [the Complainants] [redacted] and submitted applications without their knowledge. This included Social Insurance, driver's licenses,

bank account information, and phone numbers. The email address used to complete electronic signatures belonged to Cameron Taylor.

- [...]

On June 12, 2024, the Insurer provided the AIC investigator copies of the following insurance policy applications:

1. Policy Number CD\*\*\*\*023 [redacted] (hereinafter “Policy 023”), in the name of [R.V.] [redacted] (hereinafter “Client 5”),
2. Policy Number CD\*\*\*\*024 [redacted] (hereinafter “Policy 024”), in the name of [M.V.] [redacted] (hereinafter “Client 6”),
3. Policy Number CD\*\*\*\*025 [redacted] (hereinafter “Policy 025”), in the name of [W.V.] [redacted] (hereinafter “Client 7”),
4. Policy Number CD\*\*\*\*997 [redacted] (hereinafter “Policy 997”), in the name of [A.V.] [redacted] (hereinafter “Client 8”),
5. Policy Number CD\*\*\*\*900 [redacted] (hereinafter “Policy 900”), in the name of [F.V.] [redacted] (hereinafter “Client 9”),
6. Policy Number CD\*\*\*\*901 [redacted] (hereinafter “Policy 901”), in the name of [E.V.] [redacted] (hereinafter “Client 10”),
7. Policy Number CD\*\*\*\*904 [redacted] (hereinafter “Policy 904”), in the name of [P.M.] [redacted] (hereinafter “Client 11”),
8. Policy Number CD\*\*\*\*903 [redacted] (hereinafter “Policy 903”), in the name of [C.K.] [redacted] (hereinafter “Client 12”),
9. Policy Number CD\*\*\*\*648 [redacted] (hereinafter “Policy 648”), in the name of [A.M.] [redacted] (hereinafter “Client 13”),
10. Policy Number CD\*\*\*\*649 [redacted] (hereinafter “Policy 649”), in the name of [S.S.] [redacted] (hereinafter “Client 14”), and
11. Policy Number CD\*\*\*\*650 [redacted] (hereinafter “Policy 650”), in the name of [J.S.] [redacted] (hereinafter “Client 15”).

Policy 023 in the name of Client 5 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 5] [redacted]	October 8, 2022	CD****023 [redacted]	Email Address of Client: Ra*****la@gmail.com [redacted]  Email Address on DocuSign

			Signature: Ro*****12@gmail.com [redacted]
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Policy 024 in the name of Client 6 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 6] [redacted]	October 8, 2022	CD****024 [redacted]	Email Address of Client: Ra*****1a@gmail.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]

Policy 025 in the name of Client 7 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 7] [redacted]	October 8, 2022	CD****025 [redacted]	Email Address of Client: Ra*****1a@gmail.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]

Policy 997 in the name of Client 8 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 8] [redacted]	October 8, 2022	CD****997 [redacted]	Email Address of Client: Av*****1a@mirkacare.ca [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]

Policy 900 in the name of Client 9 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 9] [redacted]	October 12, 2022	CD****900 [redacted]	Email Address of Client: Qu*****78@yahoo.com [redacted]  Email Address on DocuSign Signature:

			Ro*****12@gmail.com [redacted]
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Policy 901 in the name of Client 10 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 10] [redacted]	October 12, 2022	CD****901 [redacted]	Email Address of Client: Qu*****78@yahoo.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]

Policy 904 in the name of Client 11 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 11] [redacted]	October 12, 2022	CD****904 [redacted]	Email Address of Client: Ka*****22@icloud.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]

Policy 903 in the name of Client 12 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 12] [redacted]	October 12, 2022	CD****903 [redacted]	Email Address of Client: Ka*****22@icloud.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]

Policy 648 in the name of Client 13 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 13] [redacted]	October 24, 2022	CD****648 [redacted]	Email Address of Client: An*****o@yahoo.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]

Policy 649 in the name of Client 14 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 14] [redacted]	October 24, 2022	CD****649 [redacted]	Email Address of Client: Sj*****0@hotmail.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]

Policy 650 in the name of Client 15 provided the following information:

Client Name	Policy Date	Policy Number	Client Information on the Policy
[Client 15] [redacted]	October 24, 2022	CD****650 [redacted]	Email Address of Client: Sj*****0@hotmail.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]

### **Discussion**

In order for the Council to conclude that the Agent has committed an offence pursuant to s. 480(1)(a) of the Act, the Report must provide on the basis of clear and cogent evidence, that it is more likely than not that the Agent committed the act as alleged. The requirement of clear and cogent evidence reflects that the Council's finding can dramatically impact an insurance agent's ability to remain in the industry. Therefore, the Council carefully weighs all evidence before it prior to reaching its decision.

The applicable legal test to determine the Agent's guilt in violating s. 480(1)(a) of the Act is set out in the Court of Queens's Bench of Alberta decision, *Roy v. Alberta (Insurance Councils Appeal Board)*, 2008 ABQB 572 (hereinafter "*Roy*"). In *Roy*, the Life Insurance Council found that an agent violated s. 480(1)(a) of the Act by attesting to completing the required continuing education hours when he did not, in fact, complete the required continuing education hours. The *Insurance Councils Appeal Board* also found the agent guilty on appeal. The agent advanced the decision to the Court of Queen's Bench of Alberta.

In his reasons for judgment dismissing the appeal, Mr. Justice Marceau wrote as follows at paragraphs 24 to 26:

[24] The Long case, albeit a charge under the Criminal Code of Canada where the onus of proof is beyond a reasonable doubt (not on a preponderance of evidence as in this case), correctly sets out

the two step approach, namely the court or tribunal must first decide whether objectively one or more of the disjunctive elements have been proven. If so, the tribunal should then consider whether the mental element required has been proved. While the Appeal Board said it was applying the Long decision, it did not make a finding as to whether step 1 had been proved with respect to each of the disjunctive elements. Rather it immediately went into a step 2 analysis and found that the mental element required for untrustworthiness might be less than the mental element required for fraud (as a given example).

[25] I am of the view that statement was in error if it was made to convey a sliding scale of *mens rea* or intent depending on which of the constituent elements was being considered. In my view, the difference between the disjunctive elements may be found in an objective analysis of the definition of each and certainly, as demonstrated by the Long case, what constitutes fraud objectively may be somewhat different from untrustworthiness. However once the objective test has been met, one must turn to the mental element. Here to decide the mental element the Appeal Board was entitled, as it did, to find the mental element was satisfied by the recklessness of the Applicant.

[26] While the language used by the Appeal Board may be characterized as unfortunate, on this review on the motion of the Applicant I need not decide whether the Appeal Board reasonably could acquit the Applicant on four of the disjunctive elements. Rather, the only matter I must decide is whether the Appeal Board acting reasonably could conclude, as they did, that the Applicant's false answer together with his recklessness justified a finding of "untrustworthiness".  
[Emphasis added]

The evidence in these types of cases is based on the concept of “*clear and cogent*” evidence. In *The Matter of the Appeal of Arney Falconer*, Chairperson Hopkins dealt with this principal of clear and cogent evidence and provided as follows:

The Life Insurance Council stated in the Decision that there is a requirement “for ‘clear and cogent evidence’ because our findings can dramatically impact an insurance agent’s ability to remain in the industry”. However, the requirement for clear and cogent evidence does not mean that the evidence is to be scrutinized any differently than it should be in any other civil case. In all civil cases evidence must be sufficiently clear, convincing and cogent to satisfy the balance of probabilities. In *F.H.v. McDougall* 2008 SCC (sic); [2008] 3 S.C.R. 41 the Supreme Court of Canada states:

[45] To suggest that depending upon the seriousness, the evidence in the civil case must be scrutinized with greater care implies that in less serious cases the evidence need not be scrutinized with such care. I think it is inappropriate to say that there are legally recognized different levels of scrutiny of the evidence depending upon the seriousness of the case. There is only one legal rule and that is that in all cases, evidence must be scrutinized with care by the trial judge.

[46] Similarly, evidence must always be sufficiently clear, convincing and cogent to satisfy the balance of probabilities test. But again, there is no objective standard to measure sufficiency. In serious cases, like the present, judges may be faced with evidence of events that are alleged to have occurred many years before, where there is little other evidence than that of the plaintiff and defendant. As difficult as the task may be, the judge must make a decision. If a responsible judge finds for the plaintiff, it must be accepted that the evidence was sufficiently clear, convincing and cogent to that judge that the plaintiff satisfied the balance of probabilities test.

[Emphasis added]

Contraventions of s. 480(1)(a) are *mens rea* offences that require proof of intent, knowledge, or recklessness on a balance of probabilities. Section 480(1)(a) of the Act reads:

If the Minister is satisfied that the holder or a former holder of a certificate of authority has been guilty of misrepresentation, fraud, deceit, untrustworthiness or dishonesty, [...] the Minister may revoke, suspend or refuse to renew or reinstate one or more of the certificates of authority held by the holder, impose terms and conditions provided for in the regulations on one or more of the certificates of authority held by the holder and impose a penalty on the holder or former holder.

The Report alleged that the Agent was guilty of fraud, deceit, dishonesty, untrustworthiness and/or misrepresentation as contemplated by s. 480(1)(a) of the Act when the Agent submitted seven (7) insurance applications which the clients did not agree to, contained falsified client information, and the Agent electronically signed pretending to be the clients; submitted eleven (11) insurance applications that were electronically signed by another agent, pretending to be the clients; and electronically signed one (1) insurance application, pretending to be the client.

Collectively, the Council is comprised of both industry and public members who are well-equipped to assess consumer risk and industry competence. The Council weighed the effects of the alleged actions, the evidence presented, and the accounts of all parties involved when arriving at their conclusion.

The insurance applications, the February 17 and February 24, 2023 emails from the Complainants, and the Insurer's Investigation Notes were of significance to the Council's decision. In the Council's opinion, these materials demonstrated that the Agent acted in a dishonest, deceitful, fraudulent, and untrustworthy matter as contemplated by the Act.

The Council was concerned by the information on the insurance applications that was determined to be false, determined to be the Agent's personal information, or determined to be the personal information of another agent, which included:

Client	Policy Date	Policy Number	Client Information on the Policy	Falsified Information
[Client 1] [redacted]	October 17, 2022	CD****981 [redacted]	Email Address of Client: Sko*****ss@gmail.com [redacted]  Email Address on DocuSign Signature: C*****37@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to the Agent.

[Client 1] [redacted]	October 17, 2022	CD****942 [redacted]	<p>Driver's License Number: *****325 [redacted]</p> <p>SIN: ***-***-621 [redacted]</p> <p>Email Address of Client: Sko*****ss@gmail.com [redacted]</p> <p>Email Address on DocuSign Signature: C*****37@gmail.com [redacted]</p>	<p>Driver's License: A copy of [Client 1] [redacted] driver's license did not match the driver's license number on the application.</p> <p>Electronic Signature: The email address used to electronically sign the application belonged to the Agent.</p>
[Client 2] [redacted]	October 17, 2022	CD****943 [redacted]	<p>Driver's License Number: *****091 [redacted]</p> <p>SIN: ***-***-904 [redacted]</p> <p>Email Address of Client: Sko*****ss@gmail.com [redacted]</p> <p>Email Address on DocuSign Signature: C*****37@gmail.com [redacted]</p>	<p>Driver's License: A copy of [Client 2] [redacted] driver's license did not match the driver's license number on the application.</p> <p>Electronic Signature: The email address used to electronically sign the application belonged to the Agent.</p>
[Client 1] [redacted]	October 2, 2022	CD****599 [redacted]	<p>Driver's License Number: *****325 [redacted]</p> <p>SIN: ***-***-621 [redacted]</p> <p>Email Address of Client: Sko*****ss@gmail.com [redacted]</p> <p>Email Address on DocuSign Signature: C*****37@gmail.com [redacted]</p>	<p>Driver's License: A copy of [Client 1] [redacted] driver's license did not match the driver's license number on the application.</p> <p>Electronic Signature: The email address used to electronically sign the application belonged to the Agent.</p>
[Client 2] [redacted]	October 2, 2022	CD****600 [redacted]	<p>Driver's License Number: *****091 [redacted]</p> <p>SIN:</p>	<p>Driver's License: A copy of [Client 2] [redacted] driver's license did not match</p>



			<p>***-***-904 [redacted]</p> <p>Email Address of Client: Sko*****ss@gmail.com [redacted]</p> <p>Email Address on DocuSign Signature: C*****37@gmail.com [redacted]</p>	<p>the driver's license number on the application.</p> <p>Electronic Signature: The email address used to electronically sign the application belonged to the Agent.</p>
[Client 3] [redacted]	October 17, 2022	CD****944 [redacted]	<p>This client is the child of [Client 1] [redacted].</p> <p>Driver's License Number: *****325 [redacted]</p> <p>SIN: ***-***-621 [redacted]</p> <p>Email Address of Client: Sko*****ss@gmail.com [redacted]</p> <p>Email Address on DocuSign Signature: C*****37@gmail.com [redacted]</p>	<p>All personal information relating to this client belongs to [Client 1] [redacted].</p> <p>Driver's License: A copy of [Client 1] [redacted] driver's license did not match the driver's license number on the application.</p> <p>Electronic Signature: The email address used to electronically sign the application belonged to the Agent.</p>
[Client 4] [redacted]	October 17, 2022	CD****945 [redacted]	<p>This client is the child of [Client 1] [redacted].</p> <p>Driver's License Number: *****325 [redacted]</p> <p>SIN: ***-***-621 [redacted]</p> <p>Email Address of Client: Sko*****ss@gmail.com [redacted]</p> <p>Email Address on DocuSign Signature:</p>	<p>All personal information relating to this client belongs to [Client 1] [redacted].</p> <p>Driver's License: A copy of [Client 1] [redacted] driver's license did not match the driver's license number on the application.</p> <p>Electronic Signature: The email address used to electronically</p>

			C*****37@gmail.com [redacted]	sign the application belonged to the Agent.
[Client 1] [redacted]	October 17, 2022	CD****946 [redacted]	Driver's License Number: *****325 [redacted]  SIN: ***-***-621 [redacted]  Email Address of Client: Sko*****ss@gmail.com [redacted]  Email Address on DocuSign Signature: C*****37@gmail.com [redacted]	Driver's License: A copy of [Client 1] [redacted] driver's license did not match the driver's license number on the application.  Electronic Signature: The email address used to electronically sign the application belonged to the Agent.
[Client 5] [redacted]	October 8, 2022	CD****023 [redacted]	Email Address of Client: Ra*****la@gmail.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.
[Client 6] [redacted]	October 8, 2022	CD****024 [redacted]	This client is the child of [Client 5] [redacted].  Email Address of Client: Ra*****la@gmail.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.
[Client 7] [redacted]	October 8, 2022	CD****025 [redacted]	This client is the child of [Client 5] [redacted].  Email Address of Client: Ra*****la@gmail.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.

[Client 8] [redacted]	October 8, 2022	CD****997 [redacted]	Email Address of Client: Av*****la@mirkacare.ca [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.
[Client 9] [redacted]	October 12, 2022	CD****900 [redacted]	Email Address of Client: Qu*****78@yahoo.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.
[Client 10] [redacted]	October 12, 2022	CD****901 [redacted]	Email Address of Client: Qu*****78@yahoo.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.
[Client 11] [redacted]	October 12, 2022	CD****904 [redacted]	Email Address of Client: Ka*****22@icloud.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.
[Client 12] [redacted]	October 12, 2022	CD****903 [redacted]	Email Address of Client: Ka*****22@icloud.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.
[Client 13] [redacted]	October 24, 2022	CD****648 [redacted]	Email Address of Client: An*****o@yahoo.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.

[Client 14] [redacted]	October 24, 2022	CD****649 [redacted]	Email Address of Client: Sj*****0@hotmail.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.
[Client 15] [redacted]	October 24, 2022	CD****650 [redacted]	Email Address of Client: Sj*****0@hotmail.com [redacted]  Email Address on DocuSign Signature: Ro*****12@gmail.com [redacted]	Electronic Signature: The email address used to electronically sign the application belonged to another agent.

The Council took specific issue with the information provided in the Insurer's Investigation Notes, which stated:

[...]

*The email address c\*\*\*\*\*37@gmail.com [redacted], used to collect customers' signatures on these applications is not [the Complainants'] [redacted] email. This email belongs to Cameron Taylor. [...]*

*It appears that Cameron Taylor used invalid information for [the Complainants] [redacted] and submitted applications without their knowledge. This included Social Insurance, driver's licenses, bank account information and phone numbers. The email address used to complete electronic signatures belonged to Cameron Taylor.*

[...]

Consumers who purchase or seek to purchase insurance products expect that insurance agents will act with the utmost good faith while carrying out their work. Honesty and integrity are the hallmarks of a good insurance agent. An insurance agent owes a fiduciary obligation to act in the best interest of their clients. It is, therefore, not unreasonable to expect that a high standard of due diligence be practiced by insurance agents.

In light of the information provided by the Agent, the evidence submitted by the Insurer confirms that the Agent submitted seven (7) insurance applications, which the clients did not agree to, contained falsified client information, and the Agent electronically signed, pretending to be the clients; submitted eleven (11) insurance applications that were electronically signed by another agent, pretending to be the clients; and electronically signed one (1) insurance application, pretending to be the client, the objective and subjective elements of the applicable legal test under s. 480(1)(a) are met. This was intentional conduct, and it is fraud, deceit, dishonesty, untrustworthiness and/or misrepresentation as contemplated pursuant to s. 480(1)(a) of the Act.

The *Insurance Act* and its Regulations act as a mechanism of public protection. It is the view of the Council that the Agent's deception was self-serving, as it was deliberate and without any consideration of the risk that they were subjecting the clients and the Insurer to.

Accordingly, a significant civil penalty is warranted under the circumstances. In terms of the available sanction, the Council may impose a penalty for a violation of s. 480(1)(a) of the Act, not exceeding \$5,000.00 per demonstrated offence against an agent, in accordance with s. 36.1(1)(a) of the *Insurance Agents and Adjusters Regulation*, AR 122/2001. Given the seriousness of the offence, the Council ordered a civil penalty per demonstrated offence in the amount of \$5,000.00 resulting in nineteen (19) offences, equaling \$95,000.00 be levied against the Agent.

The civil penalty must be paid within thirty (30) days of receiving this notice. If the penalty is not paid within thirty (30) days, interest will begin to accrue at the rate of 12% per annum as prescribed by s. 36.1(2) of the *Insurance Agents and Adjusters Regulation*, A.R. 122/2001.

Pursuant to s. 482 of the Act (copy enclosed), the Agent has thirty (30) days in which to appeal this decision by filing a Notice of Appeal with the Office of the Superintendent of Insurance.

This Decision was made by way of a motion made and carried at a properly conducted meeting of the Life Insurance Council. The motion was duly recorded in the Minutes of that meeting.

Date: January 23, 2025

[Original Signed By]

Andy Freeman, Chair  
Life Insurance Council

**Extract from the *Insurance Act*, Chapter I-3****Appeal**

482 A decision of the Minister under this Part to refuse to issue, renew or reinstate a certificate of authority, to impose terms and conditions on a certificate of authority, to revoke or suspend a certificate of authority or to impose a penalty on the holder or former holder of a certificate of authority may be appealed in accordance with the regulations.

**Extract from the *Insurance Councils Regulation*, Alberta Regulation 126/2001****Notice of appeal**

16(1) A person who is adversely affected by a decision of a council may appeal the decision by submitting a notice of appeal to the Superintendent within 30 days after the council has mailed the written notice of the decision to the person.

(2) The notice of appeal must contain the following:

- a) a copy of the written notice of the decision being appealed;
- b) a description of the relief requested by the appellant;
- c) the signature of the appellant or the appellant's lawyer;
- d) an address for service in Alberta for the appellant;
- e) an appeal fee of \$200 payable to the Provincial Treasurer.

(3) The Superintendent must notify the Minister and provide a copy of the notice of appeal to the council whose decision is being appealed when a notice of appeal has been submitted.

(4) If the appeal involves a suspension or revocation of a certificate of authority or a levy of a penalty, the council's decision is suspended until after the disposition of the appeal by a panel of the Appeal Board.

**Contact Information and Useful Links for Appeal:**

Email: [tbf.insurance@gov.ab.ca](mailto:tbf.insurance@gov.ab.ca)

Phone: 780-643-2237

Fax: 780-420-0752

Toll-free in Alberta: Dial 310-0000, then the number

Mailing Address: 402 Terrace Building, 9515 – 107 Street Edmonton, AB T5K 2C3

Link: [Bulletins, notices, enforcement activities | Alberta.ca](#) – *Interpretation Bulletin 02-2021 – Submitting Notices of Appeal of Insurance Council Decisions*