

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 Jaskarn Toor
(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, on thirty-one (31) occasions, intentionally misrepresented information on insurance applications to an insurer as the applications contained falsified client information. In so doing, it is alleged that the Agent is guilty of misrepresentation, fraud, deceit, untrustworthiness, and/or dishonesty, as contemplated by s. 480(1)(a) of the Act.

Facts and Evidence

This matter proceeded by way of a written Report to Council dated March 17, 2025 (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 February 4, 2022, to March 20, 2024, when the Agent was terminated.

This matter arose in response to a Life Agent Reporting Form regarding the Agent received by the AIC on September 6, 2023, from [I.A.I.F.S.I.] [redacted] (hereinafter the "Insurer").

On September 11, 2023, the AIC investigator requested the following information from the Insurer:

[...]

Further to the attached and below, please provide your documents/correspondence that you relied on in the termination of the above noted agent.

[...]

On September 21, 2023, the Insurer provided the AIC investigator with the following information:

[...]

Subject: Answer to your access request
Agent: Jaskarn Toor

[...]

This is further to the request of information you sent September 11, 2023, regarding the above-mentioned agent.

Please find attached the following documents:

- The Version of Events request sent by [the Insurer] [redacted] to the advisor on August 21, 2023 (hereinafter the “August 21, 2023 Letter”);
- The 36 applications mentioned in the Version of Events;
- [...]
- The Electronic Evidence Summary indicated in the Version of Events as well.

Please note that the advisor never provided explanations with respect to [the Insurer’s] [redacted] Version of Events request from August 21, 2023. Therefore, a letter of termination was transmitted to the advisor on September 6, 2023.

[...]

[Emphasis added in original document]

In the same email of September 21, 2023, the Insurer provided the AIC investigator with copies of the applications for the affected clients identified in the Insurer’s investigation which provided the following information:

Client Name	Insurer Policy Number	Information from Application
[A.A.T.] [redacted] (hereinafter “Applicant 1”)	04****7440 [redacted] (hereinafter “Application 1”)	Application Date: <i>July 5, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> [redacted] Driver’s License Number: <i>1*****41</i> [redacted]
	00****7602 [redacted] (hereinafter “Application 2”)	Application Date: <i>July 5, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> [redacted] Driver’s License Number: <i>1*****68</i> [redacted]
[T.T.] [redacted] (hereinafter “Applicant 2”)	04****6770 [redacted] (hereinafter “Application 3”)	Application Date: <i>July 5, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> [redacted]

		Bank Account Number: 8*****3818 [redacted]
[A.B.T.] [redacted] (hereinafter "Applicant 3")	04****7873 [redacted] (hereinafter "Application 4")	Application Date: <i>July 5, 2022</i> Email Address: S*****OMG@HOTMAIL.COM [redacted] Bank Account Number: 8*****3829 [redacted]
[A.S.] [redacted] (hereinafter "Applicant 4")	04****0808 [redacted] (hereinafter "Application 5")	Application Date: <i>July 11, 2022</i> Phone Number: ***-***-0923 [redacted] Bank Account Number: 8*****3818 [redacted]
[J.G.] [redacted] (hereinafter "Applicant 5")	04****8027 [redacted] (hereinafter "Application 6")	Application Date: <i>July 13, 2022</i> Email Address: S*****OMG@HOTMAIL.COM [redacted]
[J.S.] [redacted] (hereinafter "Applicant 6")	04****5142 [redacted] (hereinafter "Application 7")	Application Date: <i>July 18, 2022</i> Phone Number: ***-***-0923 [redacted] Email Address: S*****OMG@HOTMAIL.COM [redacted]
[R.M.] [redacted] (hereinafter "Applicant 7")	04****8838 [redacted] (hereinafter "Application 8")	Application Date: <i>August 8, 2022</i> Phone Number: ***-***-0681 [redacted]
[J.M.] [redacted] (hereinafter "Applicant 8")	04****3976 [redacted] (hereinafter "Application 9")	Application Date: <i>August 14, 2022</i> Phone Number: ***-***-0681 [redacted] Bank Account Number: 8*****3818 [redacted]
[H.V.] [redacted] (hereinafter "Applicant 9")	04****2141 [redacted] (hereinafter "Application 10")	Application Date: <i>August 30, 2022</i> Phone Number: ***-***-4215 [redacted]

		Bank Account Number: 8*****3816 [redacted]
[P.S.] [redacted] (hereinafter "Applicant 10")	04****0001 [redacted] (hereinafter "Application 11")	Application Date: <i>September 12, 2022</i> Phone Number: ***-***-0681 [redacted] Bank Account Number: 8*****3816 [redacted]
[S.A.S.] [redacted] (hereinafter "Applicant 11")	04****4281 [redacted] (hereinafter "Application 12")	Application Date: <i>September 14, 2022</i> Phone Number: ***-***-4215 [redacted] Bank Account Number: 8*****8312 [redacted]
[J.K.] [redacted] (hereinafter "Applicant 12")	04****4045 [redacted] (hereinafter "Application 13")	Application Date: <i>September 18, 2022</i> Email Address: S*****OMG@HOTMAIL.COM [redacted] Phone Number: ***-***-0479 [redacted] Bank Account Number: 8*****3800 [redacted]
[A.B.] [redacted] (hereinafter "Applicant 13")	04****2465 [redacted] (hereinafter "Application 14")	Application Date: <i>September 27, 2022</i> Phone Number: ***-***-0479 [redacted] Email Address: S*****OMG@HOTMAIL.COM [redacted] Bank Account Number: 8*****8316 [redacted]
[I.B.] [redacted] (hereinafter "Applicant 14")	04****2601 [redacted] (hereinafter "Application 15")	Application Date: <i>September 27, 2022</i> Phone Number: ***-***-0479 [redacted] Email Address: S*****OMG@HOTMAIL.COM [redacted] Bank Account Number: 8*****3816 [redacted]

[S.B.] [redacted] (hereinafter "Applicant 15")	04****2741 [redacted] (hereinafter "Application 16")	<p>Application Date: <i>September 27, 2022</i></p> <p>Phone Number: ***-***-0479 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8312 [redacted]</p>
[K.K.] [redacted] (hereinafter "Applicant 16")	04****7102 [redacted] (hereinafter "Application 17")	<p>Application Date: <i>October 2, 2022</i></p> <p>Phone Number: ***-***-7295 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****3816 [redacted]</p>
[N.D.] [redacted] (hereinafter "Applicant 17")	04****1495 [redacted] (hereinafter "Application 18")	<p>Application Date: <i>October 3, 2022</i></p> <p>Phone Number: ***-***-7295 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Driver's License Number: I*****87 [redacted]</p> <p>Bank Account Number: 8*****8315 [redacted]</p>
	00****1551 [redacted] (hereinafter "Application 19")	<p>Application Date: <i>October 3, 2022</i></p> <p>Phone Number: ***-***-7295 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Driver's License Number: I*****38 [redacted]</p> <p>Bank Account Number: 8*****8315 [redacted]</p>

[M.D.] [redacted] (hereinafter "Applicant 18")	04****5687 [redacted] (hereinafter "Application 20")	Application Date: <i>October 4, 2022</i> Phone Number: ***-***-7295 <i>[redacted]</i> Email Address: S*****OMG@HOTMAIL.COM <i>[redacted]</i> Bank Account Number: 8*****8745 <i>[redacted]</i>
[G.S.] [redacted] (hereinafter "Applicant 19")	04****5849 [redacted] (hereinafter "Application 21")	Application Date: <i>October 4, 2022</i> Phone Number: ***-***-7295 <i>[redacted]</i> Email Address: S*****OMG@HOTMAIL.COM <i>[redacted]</i> Bank Account Number: 8*****7834 <i>[redacted]</i>
[M.S.] [redacted] (hereinafter "Applicant 20")	04****5563 [redacted] (hereinafter "Application 22")	Application Date: <i>October 4, 2022</i> Phone Number: ***-***-7295 <i>[redacted]</i> Email Address: S*****OMG@HOTMAIL.COM <i>[redacted]</i> Bank Account Number: 8*****8215 <i>[redacted]</i>
[H.B.] [redacted] (hereinafter "Applicant 21")	04****4266 [redacted] (hereinafter "Application 23")	Application Date: <i>October 9, 2022</i> Phone Number: ***-***-7295 <i>[redacted]</i> Email Address: S*****OMG@HOTMAIL.COM <i>[redacted]</i> Bank Account Number: 8*****3814 <i>[redacted]</i>
[S.B.S.] [redacted] (hereinafter "Applicant 22")	04****5697 [redacted] (hereinafter "Application 24")	Application Date: <i>October 14, 2022</i> Phone Number: ***-***-7295 <i>[redacted]</i>

		<p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8312 [redacted]</p>
[S.P.] [redacted] (hereinafter "Applicant 23")	04****3530 [redacted] (hereinafter "Application 25")	<p>Application Date: <i>October 23, 2022</i></p> <p>Phone Number: ***-***-7350 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8231 [redacted]</p>
[H.D.] [redacted] (hereinafter "Applicant 24")	04****3505 [redacted] (hereinafter "Application 26")	<p>Application Date: <i>October 23, 2022</i></p> <p>Phone Number: ***-***-7350 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8312 [redacted]</p>
[K.H.] [redacted] (hereinafter "Applicant 25")	00****9995 [redacted] (hereinafter "Application 27")	<p>Application Date: <i>November 9, 2022</i></p> <p>Phone Number: ***-***-0970 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****3821 [redacted]</p>
[R.G.] [redacted] (hereinafter "Applicant 26")	04****5363 [redacted] (hereinafter "Application 28")	<p>Application Date: <i>November 21, 2022</i></p> <p>Phone Number: ***-***-0970 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8327 [redacted]</p>

[G.D.] [redacted] (hereinafter "Applicant 27")	04****6778 [redacted] (hereinafter "Application 29")	Application Date: <i>December 21, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> <i>[redacted]</i> Bank Account Number: <i>8*****3819 [redacted]</i>
[A.F.] [redacted] (hereinafter "Applicant 28")	04****9701 [redacted] (hereinafter "Application 30")	Application Date: <i>November 7, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> <i>[redacted]</i> Email Address on OneSpan Sign Signature: <i>s*****omg@hotmail.com</i>
[M.N.] [redacted] (hereinafter "Applicant 29")	04****3434 [redacted] (hereinafter "Application 31")	Application Date: <i>October 6, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> <i>[redacted]</i> Email Address on OneSpan Sign Signature: <i>s*****omg@hotmail.com</i>

The August 21, 2023 Letter stated:

[...]
Subject: Market Conduct Investigation
Request for information
 [...]

Mr. Toor,

This is further to our correspondence of August 16, 2023, in which we informed you of the suspension of your advisor code with [the Insurer] [redacted], pending the outcome of the investigation regarding your market conduct.

We have reviewed applications that you submitted to [the Insurer] [redacted] since February 1st, 2022.

[The Insurer] [redacted] attaches great importance to the integrity and reliability of the information and documents provided by its authorized advisors. Based on our findings, we have reasons to believe that the information you communicated to [the Insurer] [redacted] regarding certain clients was either false or inaccurate, and question whether the product you sold was suitable for their financial needs. We are concerned that you submitted applications for clients that do not exist.

This is a listing of some the irregularities we identified while reviewing these applications:

- ❖ The same phone number and email was used as client contact information on multiple insurance applications, for clients at different addresses.

- ❖ The same bank account numbers were used on different policies for different clients. This pattern was repeated on multiple applications.

Many of these applications were terminated as we received notices from the financial institutions that the bank account numbers you entered were untraceable.
- ❖ You sold products in provinces where you are unlicensed.
- ❖ You did not disclose family relationships on some applications, for clients bearing the same address and family name as yourself.
- ❖ Identification documents you entered on different applications for the same individual do not match.

In order for us to move forward with our investigation on your market conduct, we are asking you to provide your written explanations in response to the following questions.

- 1) **You entered the same email address (s*****omg@hotmail.com) [redacted] on 23 different insurance applications, [...]:**
 - a. To whom does this email address belong?
 - b. From whom did you get this email?
 - c. Have you exchanged this email with other agents? If so, please identify their names and what is your relationship to them.
 - d. Why are you using the same email on these applications as other agents with the same name as yourself, who are also using this email?
 - e. Did these clients electronically sign the application in your presence?
 - f. Who sent in the electronic signature using this email?
 - g. From what location were these applications submitted electronically? Provide the associated IP address.
 - h. Provide all communications you had with each of these clients through email.
 - i. Provide your notes, FNA and Reasons Why document for each of these clients.

- 2) **All 23 applications in Question (1) were terminated or cancelled shortly after you submitted them, as the payment requirements were not met.**

The same bank account numbers, which do not exist, were entered on multiple applications for different clients living at different addresses, with different names. [The Insurer] [redacted] received notices from various financial institutions advising us that the bank account numbers you provided were untraceable.

[...]

- a. Please explain who provided these bank account numbers to you.
 - b. What steps did you take to validate that the accounts existed and belonged to the client?
 - c. Please explain why the same information was repeated on multiple applications, with the same electronic signature being used by the email identified in Question (1).
- 3) **You entered the same phone numbers on multiple different applications, for different clients who live at different addresses and have different names, [...]:**
 - a. Where and with whom did you complete each of these insurance applications?
 - b. Who provided the phone numbers entered on the application?
 - c. To whom do each of these numbers belong?
 - d. Provide all supporting documents related to calls or texts made to and from each of these numbers.
 - e. If you did not communicate with each of these clients by phone or text, you must provide proof

of how you communicated with them.

4) For [Application 1 and Application 2] [redacted]:

- a. Where and with whom did you complete the insurance application?
- b. Who provided the identification document entered on the application?
- c. Why are two different driver's ID numbers entered for the same individual ([Applicant 1] [redacted]), for 2 applications submitted on the same date?
- d. Both contracts were terminated as the payment requirements were not met. What steps did you take to ensure that your client had the financial means to pay for these policies?
- e. Provide your notes, FNA, Reasons Why and all communications with this client (emails, text messages, etc.)

We note that these 2 contracts were also identified in Question (1).

5) For [Application 18 and Application 19] [redacted]:

- a. Where and with whom did you complete the insurance application?
- b. Who provided the identification document entered on the application?
- c. Why are two different driver's ID numbers entered for the same individual, for 2 applications submitted on the same date?
- d. Both contracts were terminated as the payment requirements were not met. What steps did you take to ensure that your client had the financial means to pay for these policies?
- e. Provide your notes, FNA, Reasons Why and all communications with this client (emails, text messages, etc.)

We note that these 2 contracts were also identified in Question (1).

6) [...]

12) Provide the IP address of all locations where you regularly conduct business.

13) Please explain why you sold mostly one type of insurance product to all your clients. If you discussed any other insurance products or options, please specify which ones were looked at and with which client, and why the final decision was made to sell almost only [life insurance] [redacted] products.

[...]

On November 2, 2023, the AIC investigator sent a Demand for Information to the Agent for the following information from the Agent:

[...]

- A detailed timeline and explanation of events pertaining to the above matter, including how you met with the clients and verified their information; and,
- To whom does the email s*****omg@hotmail.com [redacted]
- Any other information or documents you feel may be relevant.

[...]

On November 9, 2023, the Agent provided the AIC investigator with the following information:

[...]

The answer to the details in question are as follows:

1. “Same email addresses for clients living at different addresses” – my own email was entered in with random address; clients were fiction.
2. “Same bank account information/untraceable” – these were fiction numbers, not intended to cause harm/loss to any real being.
3. “non-disclosure of family relationships” – I was very early (about 1 month) in the business and was advised by my superior at the time that I did not need to state family relation.
4. ID verification not matching – I was processing an application for my brother who was unable to send me his ID while I was submitting it, and I was advised by my superior at the time to enter in a random sequence of numbers and to change it once we received it. I forgot to go back and change the numbers after it was done.
5. s*****omg@hotmail.com [redacted] email is an older email address that belongs to myself.
6. I do not have any further supportive documentation.

Furthermore, I take full accountability for my actions and the inconvenience they have caused to the association and the insurance company. [...]

I have already started by making monetary payments toward my debt to the company for the commission paid to me. [...]

[...]

Once again, I extend my heartfelt apologies for my actions and any inconvenience they may have caused. Thank you for your understanding and consideration. [...]

[...]

On February 29, 2024, the AIC investigator requested the following information from [W.F.G.I.A.C.I.] [redacted] (hereinafter the “Agency”):

[...]

1. What investigation did [the Agency] [redacted] do? Please provide all supporting documentation, including any disciplinary action taken.
2. How does [the Agency] [redacted] determine suitability to hold and continue to hold certificates of authority? Please provide supporting documentation as to the decision to continue to have Jaskarn Toor hold certificates of authority.
3. Please provide a full list of all commissions, chargebacks, and current debt from February 2022 to current for Jaskarn Toor.

[...]

On March 15, 2024, the Agency provided the AIC investigator with the following information:

[...]

1. When [the Agency] [redacted] learned from [the Insurer] [redacted] that they had terminated the agent’s contractual agreement, the Agency reached out to the agent for his statement and for a copy of his client files. Please see enclosed for a copy of the letter provided by [the Insurer] [redacted]. The Agency also reached out to the insurers ([other insurers]) [redacted] to determine if the agent had submitted any business with them, and if there were any concerns with the business submitted. Compliance Staff identified that no business was sold with any of the other insurers. [The Agency] [redacted] is in the process of terminating the agent’s contractual agreement.
2. If an insurer terminates the contractual agreement of an agent, [the Agency] [redacted] conducts a review of the agent’s business to determine if disciplinary action should be taken. The review of this

agent's activities resulted in a decision to terminate the agent's contractual agreement with [the Agency] [redacted].

[...]

Attached to the Agency's March 15, 2024, email to the AIC was a letter dated September 6, 2023, sent from the Insurer to the Agent:

[...]

On August 21, 2023, [the Insurer] [redacted] asked you to provide your version of events regarding your market conduct since February 2022, as we had noticed numerous inconsistencies in the business you submitted to [the Insurer] [redacted].

Despite [the Insurer's] [redacted] initial request and subsequent follow up email on August 29, 2023, we have not received any response from your part.

Considering your non-collaboration, [the Insurer] [redacted] has taken the decision to terminate your advisor contract, effective immediately. With said termination, you will no longer be authorized to solicit, submit or service, whether directly or indirectly, any insurance business through [the Insurer] [redacted].

The situation will also be reported to the regulator, as per [the Insurer's] [redacted] obligations.

[...]

On October 7, 2024, the AIC investigator sent a Demand for Information to the Agent seeking the following information from the Agent:

[...]

You mentioned in your November 9, 2023, letter that your own email was entered in with random addresses and the clients were fiction.

I would like to clarify. Does this mean,

A) You met with clients and submitted applications with misleading information on them?

Or

B) There were no meetings with clients and all the information submitted on the applications was fictitious.

[...]

On October 24, 2024, the Agent provided the AIC investigator with the following information:

[...]

I sat with some of the clients and entered wrong information due to lack of training. Some clients were not sat with.

[...]

On March 31, 2025, the Agent provided the AIC investigator with the following additional information by way of Addendum, which stated in part:

[...]

I would like to state in regards to the statement saying i've profited the total of \$[redacted] in commissions, this amount was fully paid back to the according companies. It was paid back in full and no profits remain with me as I also paid taxes on these profits. [...] All commisions [sic] were paid back last year and I do not

hold any money from these commissions [sic]. [...] I genuinely [sic] from my heart apologize for any inconveniences that were caused. [...]
[...]

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 prove, on the basis of clear and cogent evidence, that it is more likely than not that the Agent committed the act as alleged. The Council is cognizant that findings of guilt under s. 480(1)(a) can dramatically impact an insurance agent's ability to remain in the industry. Therefore, the Council carefully weighs all evidence before it before 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 Queen'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 principle 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 thirty-one (31) counts of misrepresentation, fraud, deceit, untrustworthiness, and/or dishonesty, as contemplated by s. 480(1)(a) of the Act when the Agent initiated thirty-one (31) life insurance applications which included falsified client email addresses, phone numbers, driver’s license numbers, and banking information.

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 August 21, 2023 Letter, the Agent’s November 9, 2023, email to the AIC investigator and the insurance applications 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 untrustworthily manner as contemplated by the Act.

The Council took note of the Insurer's statements in the August 21, 2023 Letter:

[...]

This is a listing of some the irregularities we identified while reviewing these applications:

- ❖ The same phone number and email was used as client contact information on multiple insurance applications, for clients at different addresses.
- ❖ The same bank account numbers were used on different policies for different clients. This pattern was repeated on multiple applications.

Many of these applications were terminated as we received notices from the financial institutions that the bank account numbers you entered were untraceable.

- ❖ You sold products in provinces where you are unlicensed.
- ❖ You did not disclose family relationships on some applications, for clients bearing the same address and family name as yourself.
- ❖ Identification documents you entered on different applications for the same individual do not match.

[...]

The Council noted that the Agent did not provide a response to the August 21, 2023 Letter.

The Council also took note of the Agent's statements in their November 9, 2023, email to the AIC investigator:

[...]

The answer to the details in question are as follows:

1. "Same email addresses for clients living at different addresses" – my own email was entered in with random address; clients were fiction.
2. "Same bank account information/untraceable" – these were fiction numbers, not intended to cause harm/loss to any real being.
3. "non-disclosure of family relationships" – I was very early (about 1 month) in the business and was advised by my superior at the time that I did not need to state family relation.
4. ID verification not matching – I was processing an application for my brother who was unable to send me his ID while I was submitting it, and I was advised by my superior at the time to enter in a random sequence of numbers and to change it once we received it. I forgot to go back and change the numbers after it was done.
5. s*****omg@hotmail.com [redacted] email is an older email address that belongs to myself.
6. I do not have any further supportive documentation.

Furthermore, I take full accountability for my actions and the inconvenience they have caused to the association and the insurance company. [...]

[...]

The Council was concerned by the information on the insurance applications that was determined to be false, which included:

Client Name	Insurer Policy Number	Information from Application	Falsified Information
Applicant 1	Application 1	Application Date: <i>July 5, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> <i>[redacted]</i> Driver's License Number: <i>I*****41 [redacted]</i>	<u>Email Address:</u> The Agent has confirmed that the email address belongs to him. <u>Driver's License Number:</u> The driver's license number does not match the driver's license number on Application 2.
	Application 2	Application Date: <i>July 5, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> <i>[redacted]</i> Driver's License Number: <i>I*****68 [redacted]</i>	<u>Email Address:</u> The Agent has confirmed that the email address belongs to him. <u>Driver's License Number:</u> The driver's license number does not match the driver's license number on Application 1.
Applicant 2	Application 3	Application Date: <i>July 5, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> <i>[redacted]</i> Bank Account Number: <i>8*****3818 [redacted]</i>	<u>Email Address:</u> The Agent has confirmed that the email address belongs to him. <u>Bank Account Number:</u> The bank account number does not exist. Same bank account for Applicant 4 and 8.
Applicant 3	Application 4	Application Date: <i>July 5, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> <i>[redacted]</i> Bank Account Number: <i>8*****3829 [redacted]</i>	<u>Email Address:</u> The Agent has confirmed that the email address belongs to him. <u>Bank Account Number:</u> The bank account number does not exist.
Applicant 4	Application 5	Application Date: <i>July 11, 2022</i> Phone Number: <i>***-***-0923</i> <i>[redacted]</i> Bank Account Number: <i>8*****3818 [redacted]</i>	<u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Application 7). <u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 2 and 8.

Applicant 5	Application 6	Application Date: <i>July 13, 2022</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> <i>[redacted]</i>	<u>Email Address:</u> The Agent has confirmed that the email address belongs to him.
Applicant 6	Application 7	Application Date: <i>July 18, 2022</i> Phone Number: <i>***-***-0923</i> <i>[redacted]</i> Email Address: <i>S*****OMG@HOTMAIL.COM</i> <i>[redacted]</i>	<u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Application 5). <u>Email Address:</u> The Agent has confirmed that the email address belongs to him.
Applicant 7	Application 8	Application Date: <i>August 8, 2022</i> Phone Number: <i>***-***-0681</i> <i>[redacted]</i>	<u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 9, 11).
Applicant 8	Application 9	Application Date: <i>August 14, 2022</i> Phone Number: <i>***-***-0681</i> <i>[redacted]</i> Bank Account Number: <i>8*****3818 [redacted]</i>	<u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 8, 11). <u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 2 and 4.
Applicant 9	Application 10	Application Date: <i>August 30, 2022</i> Phone Number: <i>***-***-4215</i> <i>[redacted]</i> Bank Account Number: <i>8*****3816 [redacted]</i>	<u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Application 12). <u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 10, 13, 14 and 16.
Applicant 10	Application 11	Application Date: <i>September 12, 2022</i> Phone Number: <i>***-***-0681</i> <i>[redacted]</i> Bank Account Number: <i>8*****3816 [redacted]</i>	<u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 8, 9). <u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 9, 13, 14 and 16.

Applicant 11	Application 12	<p>Application Date: <i>September 14, 2022</i></p> <p>Phone Number: <i>***-***-4215 [redacted]</i></p> <p>Bank Account Number: <i>8*****8312 [redacted]</i></p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Application 10).</p> <p><u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 15, 22 and 24.</p>
Applicant 12	Application 13	<p>Application Date: <i>September 18, 2022</i></p> <p>Email Address: <i>S*****OMG@HOTMAIL.COM [redacted]</i></p> <p>Phone Number: <i>***-***-0479 [redacted]</i></p> <p>Bank Account Number: <i>8*****3800 [redacted]</i></p>	<p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 14, 15, 16).</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 13	Application 14	<p>Application Date: <i>September 27, 2022</i></p> <p>Phone Number: <i>***-***-0479 [redacted]</i></p> <p>Email Address: <i>S*****OMG@HOTMAIL.COM [redacted]</i></p> <p>Bank Account Number: <i>8*****8316 [redacted]</i></p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 13, 15, 16).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 9, 10, 14 and 16.</p>
Applicant 14	Application 15	<p>Application Date: <i>September 27, 2022</i></p> <p>Phone Number: <i>***-***-0479 [redacted]</i></p> <p>Email Address: <i>S*****OMG@HOTMAIL.COM [redacted]</i></p> <p>Bank Account Number: <i>8*****3816 [redacted]</i></p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 13, 14, 16).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 9, 10, 13 and 16.</p>

Applicant 15	Application 16	<p>Application Date: <i>September 27, 2022</i></p> <p>Phone Number: <i>***-***-0479 [redacted]</i></p> <p>Email Address: <i>S*****OMG@HOTMAIL.COM [redacted]</i></p> <p>Bank Account Number: <i>8*****8312 [redacted]</i></p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 13, 14, 15).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 11, 22 and 24.</p>
Applicant 16	Application 17	<p>Application Date: <i>October 2, 2022</i></p> <p>Phone Number: <i>***-***-7295 [redacted]</i></p> <p>Email Address: <i>S*****OMG@HOTMAIL.COM [redacted]</i></p> <p>Bank Account Number: <i>8*****3816 [redacted]</i></p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 18, 19, 20, 21, 22, 23, 24).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 9, 10, 13 and 14.</p>
Applicant 17	Application 18	<p>Application Date: <i>October 3, 2022</i></p> <p>Phone Number: <i>***-***-7295 [redacted]</i></p> <p>Email Address: <i>S*****OMG@HOTMAIL.COM [redacted]</i></p> <p>Driver's License Number: <i>1*****87 [redacted]</i></p> <p>Bank Account Number: <i>8*****8315 [redacted]</i></p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 17, 19, 20, 21, 22, 23, 24).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Driver's License Number:</u> The driver's license number does not match the driver's license number on Application 19.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
	Application 19	<p>Application Date: <i>October 3, 2022</i></p> <p>Phone Number: <i>***-***-7295 [redacted]</i></p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 17, 18, 20, 21, 22, 23, 24).</p>

		<p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Driver's License Number: I*****38 [redacted]</p> <p>Bank Account Number: 8*****8315 [redacted]</p>	<p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Driver's License Number:</u> The driver's license number does not match the driver's license number on Application 18.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 18	Application 20	<p>Application Date: <i>October 4, 2022</i></p> <p>Phone Number: ***-**-7295 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8745 [redacted]</p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 17, 18, 19, 21, 22, 23, 24).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 19	Application 21	<p>Application Date: <i>October 4, 2022</i></p> <p>Phone Number: ***-**-7295 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****7834 [redacted]</p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 17, 18, 19, 20, 22, 23, 24).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 20	Application 22	<p>Application Date: <i>October 4, 2022</i></p> <p>Phone Number: ***-**-7295 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8215 [redacted]</p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 17, 18, 19, 20, 21, 23, 24).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 21	Application 23	<p>Application Date: <i>October 9, 2022</i></p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside</p>

		<p>Phone Number: ***-***-7295 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****3814 [redacted]</p>	<p>different addresses (Applications 17, 18, 19, 20, 21, 22, 24).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 22	Application 24	<p>Application Date: <i>October 14, 2022</i></p> <p>Phone Number: ***-***-7295 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8312 [redacted]</p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Applications 17, 18, 19, 20, 21, 22, 23).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 11, 15 and 24.</p>
Applicant 23	Application 25	<p>Application Date: <i>October 23, 2022</i></p> <p>Phone Number: ***-***-7350 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8231 [redacted]</p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Application 26).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 24	Application 26	<p>Application Date: <i>October 23, 2022</i></p> <p>Phone Number: ***-***-7350 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8312 [redacted]</p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Application 25).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist. Same bank account as Applicant 11, 15 and 22.</p>
Applicant 25	Application 27	<p>Application Date: <i>November 9, 2022</i></p>	<p><u>Phone Number:</u> The phone number provided was used on</p>

		<p>Phone Number: ***-***-0970 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****3821 [redacted]</p>	<p>multiple applications alongside different addresses (Application 28).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 26	Application 28	<p>Application Date: November 21, 2022</p> <p>Phone Number: ***-***-0970 [redacted]</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****8327 [redacted]</p>	<p><u>Phone Number:</u> The phone number provided was used on multiple applications alongside different addresses (Application 27).</p> <p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 27	Application 29	<p>Application Date: December 21, 2022</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Bank Account Number: 8*****3819 [redacted]</p>	<p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Bank Account Number:</u> The bank account number does not exist.</p>
Applicant 28	Application 30	<p>Application Date: November 7, 2022</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Email Address on OneSpan Sign Signature: s*****omg@hotmail.com [redacted]</p>	<p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Email Address on OneSpan Sign Signature:</u> The email address used to electronically sign the application belonged to the Agent.</p>
Applicant 29	Application 31	<p>Application Date: October 6, 2022</p> <p>Email Address: S*****OMG@HOTMAIL.COM [redacted]</p> <p>Email Address on OneSpan Sign Signature:</p>	<p><u>Email Address:</u> The Agent has confirmed that the email address belongs to him.</p> <p><u>Email Address on OneSpan Sign Signature:</u> The email address used to electronically sign the application belonged to the Agent.</p>

		s*****omg@hotmail.com [redacted]	
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Consumers who 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. The relationship between the agent and the client, and the agent and the insurer, results in a fiduciary duty, one which requires insurance intermediaries to act in the best interest of their clients. It is, therefore, not unreasonable to expect a high standard of due diligence be practiced by insurance agents. Clients or insurers are never well served when information is inaccurately or falsely recorded, as this false or inaccurate information may lead to coverage being denied or cancelled, rendering the client uninsured.

In light of the information provided by the Agent, and the evidence submitted by the Agency and the Insurer confirming that the Agent initiated thirty-one (31) insurance applications containing falsified client information, the objective and subjective elements of the applicable legal test under s. 480(1)(a) are met. This was intentional conduct, and it is misrepresentation, fraud, deceit, untrustworthiness, and/or dishonesty as contemplated pursuant to s. 480(1)(a) of the Act.

The 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 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, in accordance with s. 36.1(1)(a) of the *Insurance Agents and Adjusters Regulation*, AR 122/2001. Given the evidence provided, the Council orders that a civil penalty of \$5,000.00, per demonstrated offence, resulting in thirty-one (31) offences, equaling a total civil penalty of \$155,000.00 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*, AR 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: June 11, 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

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*