

**IN THE MATTER OF THE *FINANCIAL
INSTITUTIONS ACT*, RSBC 1996, C. 141**

and

Cover All Program Inc.

(Pursuant to section 208 of the *Financial Institutions Act*)

UNDERTAKING

[This Undertaking has been redacted before publication.]

WHEREAS the BC Financial Services Authority (“BCFSA”) completed an investigation into the conduct of extraprovincial corporation Cover All Program Inc. (“CAP”) pursuant to an Order issued under section 215(1) of the *Financial Institutions Act* (“FIA”);

AND WHEREAS the Superintendent of Financial Institutions (the “Superintendent”) is of the opinion, based on the investigation, that CAP carried on the business of insurance in B.C. during the years 2022 to 2024 inclusive when CAP underwrote, marketed, and distributed contracts of automobile insurance identified as Cover All Program 1, 2 & 3 (“Policies”) to B.C. consumers (“Policyholders”) without being authorized to do so as required under the FIA, thereby contravening section 75 of the FIA;

AND WHEREAS CAP does not admit they breached section 75 of the FIA but acknowledges that the Superintendent is of the opinion that the alleged breach of section 75 of the FIA took place;

AND WHEREAS CAP acknowledges the right of Policyholders to make claims for indemnity according to terms of their respective automobile insurance contracts until expiration date;

AND WHEREAS CAP began taking steps to cease further distribution of the Policies before BCFSA began its investigation.

AND WHEREAS the Superintendent considers it appropriate for CAP to enter into this Undertaking pursuant to section 208 of the FIA;

AND WHEREAS CAP undertakes the following:

1. To not carry on any new business of insurance in British Columbia until such time as Cover All Program Inc. is authorized by BCFSA to engage in the business of insurance or are otherwise permitted to do so under the FIA;
2. To ensure that any claims for indemnity by Policyholders pursuant to the terms of the Policies, will be administered in compliance with the FIA;
3. To pay to BCFSA the total amount of \$15,000.00 within 30 days of the date of this Undertaking in lieu of a recommendation that the Superintendent issue a Notice of Administrative Penalty under section 253.1 of the FIA; and
4. To pay BCFSA investigative costs in the total amount of \$1,800.00 within 30 days of this Undertaking in lieu of the Superintendent issuing an order for investigative costs to be paid under section 241.1 of the FIA.



This Undertaking may be amended by the written agreement between the Superintendent and CAP. An amendment that results in a release or partial release from this Undertaking does not release CAP from complying with all applicable laws, including but not limited to enactments administered by BCFSA.

Signed at the City of Edmonton, in the province of Alberta, Canada.

This 5th day of November 2024.

“Original signed by Michael Moss”

Authorized Signatory – Cover All Program Inc.

Name: Michael Moss

Title: Chief Executive Officer

Signed at the City of Vancouver, in the Province of British Columbia, Canada.

This 4th day of November 2024.

“Original signed by Joy Tcheng”

BC Financial Services Authority

Name: Joy Tcheng

Title: Vice President, Supervision and Deposit Insurance

