
IN THE MATTER OF the *Insurance Act*, R.S.O. 1990, c.l.8, as amended (the “Act”), in particular sections 441.2 and 441.3;

AND IN THE MATTER OF Mohd Tanvir and Satinder Kaur.

NOTICE OF PROPOSAL TO IMPOSE ADMINISTRATIVE PENALTIES

TO: Mohd Tanvir

AND TO: Satinder Kaur

TAKE NOTICE THAT pursuant to section 441.3 of the Act, and by delegated authority from the Chief Executive Officer of the Financial Services Regulatory Authority of Ontario (the “Chief Executive Officer”), **the Director, Litigation and Enforcement, (the “Director”)** is proposing to impose an administrative penalty in the total amount of **\$20,000 on Mohd Tanvir** for making false and misleading statements and representations in the solicitation or registration of two (2) life insurance policies, contrary to section 17(c) of Ontario Regulation 347/04.

AND TAKE NOTICE THAT pursuant to section 441.3 of the Act, and by delegated authority from the Chief Executive Officer, **the Director is proposing to impose an administrative penalty in the total amount of \$12,000 on Satinder Kaur** for making false and misleading statements and representations in the solicitation or registration of two (2) life insurance policies, contrary to section 17(c) of Ontario Regulation 347/04.

Details of these contraventions and reasons for this proposal are described below. This Notice of Proposal includes allegations that may be considered at a hearing.

SI VOUS DÉSIREZ RECEVOIR CET AVIS EN FRANÇAIS, veuillez nous envoyer votre demande par courriel immédiatement à: contactcentre@fsrao.ca.

YOU ARE ENTITLED TO A HEARING BY THE FINANCIAL SERVICES TRIBUNAL (THE “TRIBUNAL”) PURSUANT TO SECTIONS 441.3(2) AND 441.3(5) OF THE ACT. A hearing by the Tribunal about this Notice of Proposal may be requested by completing the enclosed Request for Hearing Form (Form 1) and delivering it to the Tribunal within fifteen (15) days after this Notice of Proposal is received by you. The Request for Hearing Form (Form 1) must be mailed, delivered, faxed or emailed to:

Address: Financial Services Tribunal
25 Sheppard Avenue W, Suite 100
Toronto, ON M2N 6S6

Attention: Registrar

Fax: 416-226-7750

Email: contact@fstontario.ca

TAKE NOTICE THAT if you do not deliver a written request for a hearing to the Tribunal within fifteen (15) days after this Notice of Proposal is received by you, orders will be issued as described in this Notice of Proposal. TAKE FURTHER NOTICE of the payment requirements in section 5 of Ontario Regulation 408/12, which state that the penalized person or entity shall pay the penalty no later than (thirty) 30 days after the person or entity is given notice of the order imposing the penalty, after the matter is finally determined if a hearing is requested or such longer time as may be specified in the order.

For additional copies of the Request for Hearing Form (Form 1), visit the Tribunal's website at www.fstontario.ca

The hearing before the Tribunal will proceed in accordance with the *Rules of Practice and Procedure for Proceedings before the Financial Services Tribunal* ("Rules") made under the authority of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22, as amended. The Rules are available at the website of the Tribunal: www.fstontario.ca. Alternatively, a copy can be obtained by telephoning the Registrar of the Tribunal at 416-590-7294, or toll free at 1-800-668-0128 extension 7294.

At a hearing, your character, conduct and/or competence may be in issue. You may be furnished with further and or other particulars, including further or other grounds, to support this proposal.

REASONS FOR PROPOSAL

I. INTRODUCTION

1. These are the reasons for the proposal by the Director to impose:
 - a) an administrative penalty in the total amount of \$20,000 on Mohd Tanvir ("Tanvir");
 - b) an administrative penalty in the total amount of \$12,000 on Satinder Kaur ("Kaur").

II. BACKGROUND

A. Parties

Mohd Tanvir

2. Tanvir was licensed as a Life Insurance and Accident and Sickness Agent (licence #18164520) under the Act. Tanvir's licence expired on January 28, 2022. Tanvir is not currently licensed under the Act.
3. Tanvir was an independently contracted insurance agent with World Financial Group Insurance Agency of Canada Inc. ("WFG") from January 31, 2016, until December 18, 2020.
4. WFG is a managing general agency operating in Ontario and is licensed as an insurance agency under the Act. WFG terminated Tanvir's agent agreement for cause.
5. Tanvir held an independent financial advisor contract with Equitable Life Insurance Company of Canada ("Equitable Life"), an insurance company licensed under the Act, and acted as its agent from March 21, 2018, until December 15, 2020. Equitable Life terminated the contract for cause.

Satinder Kaur

6. Kaur was licensed as a Life Insurance and Accident and Sickness Agent (licence #18164482) under the Act. Kaur's licence expired on January 23, 2022. Kaur is not currently licensed under the Act.
7. Kaur was an independently contracted insurance agent with WFG from December 7, 2017, until December 18, 2020. WFG terminated Kaur's agent agreement for cause.

8. Kaur held an independent financial advisor contract with Equitable Life and acted as its agent from March 21, 2018, until December 15, 2020. Equitable Life terminated the contract for cause.
9. Tanvir and Kaur were married to each other during the relevant time and remain so. Tanvir was Kaur's supervisor at WFG.

B. Submission of Altered Immigration Documents to Insurer

10. On December 18, 2020, WFG advised FSRA that Tanvir's and Kaur's agent contracts were terminated for cause on account of their involvement in the alteration of documents furnished in support of two life insurance policy applications submitted to Equitable Life.

Submission of Altered Document in support of GS Policy Application

11. Tanvir, with the assistance of Kaur, submitted an altered version of a post-graduate work permit issued by Immigration, Refugees and Citizenship Canada ("IRCC") to GS ("GS Work Permit") to Equitable Life.
12. On May 14, 2020, Tanvir completed and submitted an application for a Whole Life insurance policy to Equitable Life on behalf of GS ("GS Policy Application").
13. Tanvir submitted the GS Work Permit in support of the GS Policy Application. The GS Work Permit had an expiry date of January 13, 2021.
14. On May 20, 2020, Equitable Life asked Tanvir to provide a document showing that the GS Work Permit had been extended as it was due to expire within 12 months from the time that the GS Policy Application was submitted.
15. On June 21, 2020, in response to Equitable Life's request, Tanvir submitted an altered version of the GS Work Permit using his official email account, "mtanvir088vhc@wfgmail.ca". The following fields of the GS Work Permit were altered:

Field	GS Work Permit	Altered GS Work Permit
Date Issued	2018/01/13	2020/07/13
Expiry Date	2021/01/13	2022/07/13
In Force	2018/01/13	2020/07/13
Conditions:	2021/01/13	2022/07/13
1. Must leave Canada by:		

16. The PDF audit trail for the altered version of the GS Work Permit reflects that the alterations were made on June 21, 2020, by a user with the name of Tanvir's personal email account. Only Tanvir and Kaur had access to the email account.
17. Kaur made the alterations to the GS Work Permit and admitted that she had done so in an interview with WFG on December 11, 2020.
18. Equitable Life declined to issue a life insurance policy to GS on account of the altered supporting document.

Submission of Altered Document in support of BS Policy Application

19. Tanvir, with the assistance of Kaur, submitted an altered version of a study permit issued by IRCC to BS ("BS Study Permit") to Equitable Life.
20. The altered BS Study Permit was submitted in support of an application for an Equitable Life Whole Life insurance policy ("BS Policy Application") submitted on behalf of BS by his agent HS on June 5, 2020.
21. HS is an insurance agent licensed under the Act. HS was an agent contracted with WFG and worked with Kaur and Singh at the time of the submission of the BS Policy Application.
22. BS provided the BS Study Permit to HS on June 4, 2020, as a supporting document for the BS Policy Application. HS was aware that the BS Study Permit was only valid for 3 months and would not be accepted by Equitable Life as a supporting document for the BS Policy Application.
23. HS subsequently sent the BS Study Permit to Kaur on June 4, 2020. Kaur told HS that she would submit the document to Equitable Life.
24. On June 20, 2020, Tanvir submitted an altered version of the BS Study Permit as a supporting document for the BS Policy Application using his official WFG email account, "mtanvir088vhc@wfgmail.ca". The expiry date of the BS Study Permit was altered from July 31, 2020, to August 21, 2021.
25. The PDF audit trail for the altered version of the BS Study Permit reflects that the alterations were made on June 20, 2020, by a user with the name of Tanvir's personal email account. Only Tanvir and Kaur had access to the email account.
26. Kaur made the alterations to the BS Study Permit and admitted that she had done so in an interview with WFG on December 11, 2020.

27. Equitable Life declined to issue a life insurance policy to BS on account of the altered document.

III. CONTRAVENTIONS OR FAILURES TO COMPLY WITH THE ACT

A. False and Misleading Statements or Representations in the Registration of Insurance

28. Section 17(c) of Ontario Regulation 347/04 prohibits licensed insurance agents from making false or misleading statements or representations in the solicitation or registration of insurance. Such conduct is prohibited regardless of whether the agent is aware that the statements and representations are false or misleading.

Tanvir's Contraventions or Non-Compliance

29. Tanvir made false representations to Equitable Life with respect to the GS Policy Application and the BS Policy Application by submitting altered immigration documents in support of the applications. The altered versions of the GS Work Permit and BS Study Permit misrepresented GS' and BS' residency status respectively to deceive Equitable Life into issuing insurance policies to GS and BS.
30. The Director is therefore satisfied that Tanvir made false and misleading statements and representations in the solicitation or registration of insurance by:
- i) Submitting an altered work permit to Equitable Life in support of the GS Policy Application; and
 - ii) Submitting an altered study permit to Equitable Life in support of the BS Policy Application,

and thereby contravened section 17(c) of Ontario Regulation 347/04.

Kaur's Contraventions or Non-Compliance

31. Kaur prepared altered versions of the GS Work Permit and the BS Study Permit for the purpose of submitting them to Equitable Life in support of the GS Policy Application and the BS Policy Application respectively. The altered documents misrepresented GS' and BS' immigration status to deceive Equitable Life into issuing insurance policies to GS and BS.
32. In view of the above the Director is satisfied that Kaur made false and misleading representations in the solicitation or registration of insurance when she altered the GS Work Permit and the BS Study Permit, and that she did so with both the knowledge and intention that the false information would be submitted to Equitable Life, contrary to section 17(c) of Ontario Regulation 347/04.

IV. GROUNDS FOR IMPOSING ADMINISTRATIVE PENALTIES

33. The Director is satisfied that imposing administrative penalties on Tanvir and Kaur under section 441.3(1) of the Act will satisfy one or both of the following purposes under section 441.2(1) of the Act:
- 1) To promote compliance with the requirements established under the Act.
 - 2) To prevent a person from deriving, directly or indirectly, any economic benefit as a result of contravening or failing to comply with a requirement established under this Act.
34. In determining the amount of the administrative penalties below, the Director has considered the following criteria as required by section 4(2) of Ontario Regulation 408/12:
- 1) The degree to which the contravention or failure was intentional, reckless or negligent.
 - 2) The extent of the harm or potential harm to others resulting from the contravention or failure.
 - 3) The extent to which the person or entity tried to mitigate any loss or take other remedial action.
 - 4) The extent to which the person or entity derived or reasonably might have expected to derive, directly or indirectly, any economic benefit from the contravention or failure.
 - 5) Any other contraventions or failures to comply with a requirement established under the Act or with any other financial services legislation of Ontario or of any jurisdiction during the preceding five years by the person or entity.

Administrative Penalty to be Imposed on Tanvir and Kaur

35. The Director is satisfied that an administrative penalty in the total amount of \$20,000 should be imposed on Tanvir for contravening Section 17(c) of Ontario Regulation 347/04 by making false and misleading representations to Equitable Life in relation to the GS Policy Application and the BS Policy Application.
36. The Director is satisfied that an administrative penalty in the total amount of \$12,000 should be imposed on Kaur for contravening Section 17(c) of Ontario Regulation 347/04 by making false and misleading representations to Equitable Life in relation to the GS Policy Application and BS Policy Application.

37. In respect of the **first criterion**, the Director is satisfied that Tanvir and Kaur's contraventions were intentional. Tanvir and Kaur exhibited a pattern of misconduct by knowingly altering government documents and submitting them to Equitable Life in support of the GS Policy Application and the BS Policy Application. The alterations misrepresented the residency details of GS and BS.
38. Tanvir and Kaur made the alterations in order to mislead Equitable Life into issuing life insurance policies to GS and BS. Both alterations were made after Equitable Life informed Tanvir that a policy could not be issued unless the GS Work Permit was valid for at least 12 months. These were unethical, deliberate, and intentional actions, committed twice in a short period of time, with intent to deceive.
39. In respect of the **second criterion**, the Director is satisfied that Tanvir and Kaur's false representations had the potential to cause harm to others. If Equitable Life had not identified the alterations to the GS Work Permit and the BS Study Permit, and issued life insurance policies to GS and BS:
 - i. There would have been a substantial risk that the claims on the life insurance policies applied for by GS and BS would have been declined on account of the altered documents, causing financial harm to BS and GS and their beneficiaries.
 - ii. Alternatively, in the event that the alterations were not identified at the time that claims were made on the policies, Equitable Life might have been required to pay out claims of \$160,000 and \$200,751 on policies improperly obtained by GS and BS respectively.
 - iii. Equitable Life would have paid commissions on the purchase of the policies applied for by GS and BS to Tanvir and HS respectively.
40. Furthermore, Tanvir and Kaur's misconduct as insurance agents, licensed and regulated under the Act, has the potential to harm public confidence in the regulatory regime established by the Act and its regulations.
41. In respect of the **third criterion**, the Director is unaware of any steps taken by Tanvir and Kaur to remedy the contraventions described in this proposal.
42. In respect of the **fourth criterion**, the Director is satisfied that Tanvir stood to derive financial benefit from the contraventions described in this proposal in the form of commissions amounting to approximately \$600 from Equitable Life on the anticipated placement of the life insurance policies to BS and GS.
43. As Tanvir and Kaur were married, and Kaur worked under the supervision of Tanvir at WFG during the relevant time. Kaur stood to gain from the payment of commissions to Tanvir and from the increased business volume for Tanvir's team at WFG.

44. In respect of the **fifth criterion**, the Director is unaware of any further contraventions or failures to comply in the preceding five years by Tanvir and Kaur, other than those discussed in this Notice of Proposal.

DATED at Toronto, Ontario, July 18, 2022

Elissa Sinha
Director, Litigation and Enforcement

By delegated authority from the Chief Executive Officer