

IN THE MATTER OF the *Insurance Act*, R.S.O. 1990, c.1.8, as amended (the "Act"), in particular sections 392.4, 407.1, 441.2, and 441.3;

AND IN THE MATTER OF Stewart Edward Ranft

MINUTES OF SETTLEMENT AND UNDERTAKING PART I

PART I - INTRODUCTION

1. Stewart Edward Ranft ("Ranft") was licensed as a Life Insurance and Accident & Sickness Insurance Agent under the Act (licence # 06090362). Ranft's licence expired on January 26, 2022. Ranft is not currently licenced under the Act.
2. Ranft applied to FSRA for the renewal of his insurance agent licence on July 25, 2022.
3. Ranft was associated with Financial Horizons Group ("Financial Horizons") a managing general agency ("MGA"), as an insurance agent from December 11, 2012 until May 19, 2021. Financial Horizons terminated its business relationship with Ranft for cause.
4. Ranft acted as an insurance agent for Assumption Mutual Life Insurance Company ("Assumption Life"), an insurance company licensed under the Act, from December 13, 2012 to July 29, 2021. Assumption Life terminated its business relationship with Ranft for cause.
5. On April 11, 2023, the Director, Litigation and Enforcement (the "Director"), by delegated authority from the Chief Executive Officer ("CEO") of the Financial Services Regulatory Authority of Ontario ("FSRA"), issued a Notice of Proposal in respect of Ranft (the "NOP"), proposing to refuse to renew the insurance agent licence issued to Ranft and impose administrative penalties on Ranft.
6. The NOP was delivered to Ranft on April 17, 2023. Ranft disputed certain allegations in the NOP and, on or about April 28, 2023, requested a hearing before the Financial Services Tribunal (the "Tribunal") in respect of the NOP.
7. Ranft and the Director, Litigation and Enforcement, (the "Director"), by delegated authority from the CEO, (collectively the "Parties") wish to resolve this matter on consent and without a hearing before the Tribunal.

PART II - AGREED FACTS

8. The Parties agree to, and Ranft admits to all the facts stated in Part "II" of the NOP, without any qualifications.

PART III - NON-COMPLIANCE WITH THE ACT

9. By engaging in the conduct described above and in Part II of the NOP, Ranft admits and acknowledges that he breached the Act by making false and misleading statements and representations in the solicitation or registration of life insurance policies, contrary to section 17(c) of Ontario Regulation 347/04 and by providing false information to FSRA contrary to section 447(2)(a) of the Act.
10. In view of the above non-compliance, Ranft consents to the imposition of administrative penalties in the amount \$28,000 pursuant to Section 441.3 of the Act. Ranft agrees to pay such administrative penalties.
11. Ranft further consents to the issuance of an order refusing to renew the insurance agent licence issued to him, pursuant to sections 392.4 and 407.1 of the Act and as proposed by the NOP.

PART IV - TERMS OF SETTLEMENT

12. Ranft admits the facts stated in Part II and the contraventions stated in Part III of these Minutes.
13. Ranft acknowledges and agrees that he has been given the opportunity to seek independent legal advice and he has done so (or has waived the right to do so) and is entering into these Minutes of Settlement voluntarily, understanding the consequences of doing so.
14. Ranft acknowledges that these Minutes are an undertaking within the meaning of the Act, and that failure to comply may result in immediate regulatory action including, but not limited to, the issuance of a Notice of Proposal to revoke the licence, a Notice of Proposal to impose an administrative penalty, or a prosecution under the *Provincial Offences Act*.

(a) Issuance of Orders

15. Ranft acknowledges that, upon execution of these Minutes by both Parties, the orders attached as Schedule "A" to these Minutes (the "Orders") will be issued.

(b) Process for Execution of Settlement

16. Ranft acknowledges that these Minutes are not binding on the Director until signed by the Director.

17. These Minutes may be executed in counterparts and may be executed and delivered by facsimile or e-mail, and all such counterparts and facsimiles or e-mails, as applicable, shall together constitute one and the same agreement.
18. Upon receiving an executed copy of these Minutes from FSRA, Ranft will withdraw their Request for Hearing (Form 1) in respect of the NOP before the Tribunal by completing a Withdrawal/Discontinuance (Form 5) and filing it with the Registrar at the Tribunal within two (2) business days.
19. Upon confirmation from the Tribunal that the Request for Hearing has been withdrawn and the hearing has been cancelled, the Parties agree that the Director will issue Orders in the form attached as Appendix "A" to these Minutes.
20. The Parties accept and understand that these Minutes and any rights within the Minutes shall enure to the Parties and to any successors or assigns of the Parties.

(c) Disclosure of Minutes and Orders

21. The Parties will keep the terms of these Minutes and the Orders confidential until the Orders are issued, except that:
 - (i) The Director shall be permitted to disclose the Minutes and the Orders within FSRA; and
 - (ii) The Parties shall be permitted to inform the Financial Services Tribunal.
22. If either of the Parties do not sign these Minutes or the Director does not issue the Orders:
 - (i) These Minutes, the Orders, and all related discussions and negotiations will be without prejudice to FSRA and Ranft; and
 - (ii) FSRA and Ranft will each be entitled to all available proceedings, remedies and challenges, including proceeding to a hearing of the allegations contained in the NOP. Any proceedings, remedies and challenges will not be affected by these Minutes, the Orders, or any related discussions or negotiations.
23. Upon issuance of the Orders:
 - (i) Ranft agrees that these Minutes and the Orders form part of their administrative record for the purposes of any future licensing decision or as an aggravating factor in respect of a future administrative penalty or prosecution against them or any affiliated entities;
 - (ii) Ranft acknowledges that these Minutes and the Orders are public and will be published by FSRA on its public website (or that of its successor) along with a press release that summarizes these Minutes and the Orders; and
 - (iii) The Parties agree not to make representations to any member of the public or media or in a public forum that are inconsistent with these Minutes or the Orders.

(d) Further Proceedings

24. Whether or not the Orders are issued, Ranft will not use, in any proceeding, these Minutes or the negotiation or process of approval of these Minutes as the basis for any attack on FSRA's jurisdiction, alleged bias, alleged unfairness, or any other remedies or challenges that may be available.
25. Upon issuance of the Orders:
- (i) Ranft waives all rights to a hearing before the Tribunal regarding the NOP;
 - (ii) Ranft waives all rights to a judicial review or appeal of the Orders;
 - (iii) The Director agrees that FSRA will not take any further proceedings against Ranft arising solely from the facts contained in Part II of these Minutes, unless facts not disclosed by Ranft come to the attention of FSRA that are materially different from those contained in Part II of these Minutes or Ranft fails to comply with any term in the Orders; and
 - (iv) Ranft agrees that should he fail to comply with any term in these Minutes or the Orders, FSRA is entitled to bring any proceedings available to it.

DATED at Bracebridge, Ontario December 4, 2023

Stewart Edward Ranft

DATED at Bracebridge, Ontario December 4, 2023

Laura Anne Ranft

Name of Witness

Signature of Witness

DATED at Toronto, Ontario, December 11, 2023

Elissa Sinha
Director, Litigation and Enforcement
Financial Services Regulatory Authority of Ontario

By delegated authority from the Chief Executive Officer

APPENDIX A

IN THE MATTER OF the *Insurance Act*, R.S.O. 1990, c.1.8, as amended (the "Act"), in particular sections 392.4, 407.1, 441.2 and 441.3;

AND IN THE MATTER OF Stewart Edward Ranft

ORDER TO IMPOSE ADMINISTRATIVE PENALTIES

Stewart Edward Ranft ("Ranft") was licensed as a Life Insurance and Accident and Sickness Agent (licence #18164520) under the Act. Ranft's licence expired on January 26, 2022. Ranft is currently not licensed under the Act and had applied to FSRA for the renewal of his insurance agent licence on July 25, 2022.

On April 11, 2023, by delegated authority from the Chief Executive Officer of Financial Services Regulatory Authority of Ontario ("FSRA"), the Director, Litigation and Enforcement (the "Director") issued a Notice of Proposal proposing to, among other things, impose administrative penalties on Ranft for contravening section 17(c) of Ontario Regulation 347/04 by making false and misleading statements and representations in the solicitation or registration of life insurance policies and contravening section 447(2)(a) of the Act by providing false information to FSRA (the "Notice of Proposal").

The Notice of Proposal was delivered to Ranft on April 17, 2023. A Request for Hearing (Form 1) dated April 28, 2023, was delivered to the Financial Services Tribunal (the "Tribunal"), in accordance with section 441.3(5) of the Act respecting the Notice of Proposal.

On [TBD], Ranft withdrew the Request for Hearing and on [date] the Tribunal closed its file with respect to the matter. This order is made pursuant to a Minutes of Settlement and Undertaking (the "Minutes") entered into by Ranft and the Director on [TBD]. Ranft has, among other things, consented and undertaken to pay administrative penalties in the amount and manner stated in the Minutes.

ORDER

Administrative penalties in the amount of \$28,000 is hereby imposed on Ranft, for the reasons set out in the Notice of Proposal dated April 11, 2023, issued to Ranft.

TAKE NOTICE THAT the Financial Services Regulatory Authority of Ontario ("FSRA") will deliver an invoice to Ranft with information as to where and how to make the payment.

If Ranft fails to pay the administrative penalty in accordance with the terms of this Order and any further agreement or undertaking, the Chief Executive Officer may file the Order with the Superior Court of Justice and the Order may be enforced as if it were an order of the court. An administrative penalty that is not paid in accordance with the terms of an order imposing the penalty is a debt due to the Crown and is enforceable as such.

DATED at Toronto, Ontario,

Elissa Sinha
Director, Litigation and Enforcement

By delegated authority from the Chief Executive Officer

Si vous desirez recevoir cet avis en français, veuillez nous envoyer votre demande par courriel immédiatement à : contactcentre@fsrao.ca.

IN THE MATTER OF the *Insurance Act*, R.S.O. 1990, c.1.8, as amended (the "Act"), in particular sections 392.4, 407.1, 441.2 and 441.3;

AND IN THE MATTER OF Stewart Edward Ranft

ORDER TO REFUSE TO RENEW LICENCE

Stewart Edward Ranft ("Ranft") was licensed as a Life Insurance and Accident and Sickness Agent (licence #18164520) under the Act. Ranft's licence expired on January 26, 2022. Ranft is currently not licensed under the Act and had applied to FSRA for the renewal of his insurance agent licence on July 25, 2022.

On April 11, 2023, by delegated authority from the Chief Executive Officer of Financial Services Regulatory Authority of Ontario ("FSRA"), the Director, Litigation and Enforcement (the "Director") issued a Notice of Proposal proposing to, among other things, refuse to renew the insurance agent licence issued to Ranft.

The Notice of Proposal was delivered to Ranft on April 17, 2023. A Request for Hearing (Form 1) dated April 28, 2023, was delivered to the Financial Services Tribunal (the "Tribunal"), in accordance with section 441.3(5) of the Act respecting the Notice of Proposal.

On [TBD], Ranft withdrew the Request for Hearing and on [TBD] the Tribunal closed its file with respect to the matter. This order is made pursuant to a Minutes of Settlement and Undertaking (the "Minutes") entered into by Ranft and the Director on [TBD]. Ranft has, among other things, consented to the refusal of his licence renewal application.

ORDER

The application to renew the insurance agent licence (licence #06090362) issued to Stewart Edward Ranft ("Ranft") is hereby refused for the reasons set out in the Notice of Proposal dated April 11, 2023, issued to Ranft.

DATED at Toronto, Ontario,

Elissa Sinha
Director, Litigation and Enforcement

By delegated authority from the Chief Executive Officer