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**IN THE MATTER OF** the *Insurance Act*, R.S.O. 1990, c.l.8, as amended (the “Act”), in particular sections 392.4 and 407.1;

**AND IN THE MATTER OF** Sandy Leigh Ulrich

**NOTICE OF PROPOSAL TO REFUSE TO RENEW LICENCE**

**TO:** Sandy Leigh Ulrich

**TAKE NOTICE THAT** pursuant to sections 392.4 and 407.1 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 Senior Manager, Licensing Compliance (the “Senior Manager”) is proposing to refuse to renew the insurance agent licence issued to Sandy Leigh Ulrich. The reasons for this proposal are described below.

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

**YOU ARE ENTITLED TO A HEARING BY THE FINANCIAL SERVICES TRIBUNAL (THE “TRIBUNAL”) PURSUANT TO SECTIONS 407.1(2) AND 407.1(3) 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 West  
7th Floor  
Toronto ON M2N 6S6  
Attention: Registrar

**Fax:** 416-226-7750

**Email:** [contact@fstontario.ca](mailto: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.

For additional copies of the Request for Hearing Form (Form 1), visit the Tribunal’s website at [www.fstontario.ca](http://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](http://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. The Senior Manager proposes to refuse to renew the insurance agent licence issued to Sandy Leigh Ulrich (“Ulrich”). Ulrich has demonstrated incompetence or untrustworthiness to transact insurance agency business and is not suitable to be licensed as described below.
2. Effective, June 8, 2019, pursuant to the *Financial Services Regulatory Authority of Ontario Act, 2016*, S.O. 2016, c. 37, Sched. 8, the Financial Services Regulatory Authority of Ontario (“FSRA”) became the regulator under the Act and the powers and duties previously vested in the Superintendent of Financial Services (the “Superintendent”) were vested in the Chief Executive Officer, and in the Senior Manager by delegated authority from the Chief Executive Officer.

### **II. BACKGROUND**

3. Ulrich held a licence as a life insurance and accident and sickness insurance agent, licence number 04085189.
4. Ulrich applied to renew her insurance agent licence on January 8, 2021. Her licence expired on January 16, 2021.
5. Ulrich was first licensed on December 16, 2004. Ulrich was licensed until December 15, 2008 and did not renew her licence until January 17, 2011. Ulrich had been continuously licensed since 2011.
6. From February 4, 2019, Ulrich has been involved in a proceeding before the Tribunal to revoke her licence.

### **III. ALLEGATIONS RELATED TO CONTINUING EDUCATION**

7. On or about January 9, 2017, Ulrich applied to the Financial Services Commission of Ontario (“FSCO”) to renew her insurance agent licence (the “2017 Application”). In the 2017 Application, she stated that she had completed 30 hours of continuing education during the previous licensing period from January 16, 2015 to January 16, 2017.
8. However, Ulrich did not complete 30 hours of continuing education during the previous licensing period. Instead, she purchased five continuing education certificates from an individual named Michael J. Rutledge (“Rutledge”) without taking any courses as described in the certificates.

9. The five continuing education certificates contain the following information:
  - a. A certificate dated September 10, 2016 is provided by Rutledge to Ulrich for 6 credit hours for a course called “Financial Planning for Agents”;
  - b. A certificate dated September 11, 2016 is provided by Rutledge to Ulrich for 6 credit hours for a course called “Life Insurance for Estate Planning, Wills, Trust Funds – Agent’s Role”;
  - c. A certificate dated September 17, 2016 is provided by Rutledge to Ulrich for 6 credit hours for a course called “Universal Life Insurance Policies”;
  - d. A certificate dated September 24, 2016 is provided by Rutledge to Ulrich for 6 credit hours for a course called “Consumer Needs Analysis”; and
  - e. A certificate dated October 10, 2016 is provided by Rutledge to Ulrich for 6 credit hours for a course called “Segregated Funds Policies”.
10. Ulrich paid Rutledge the sum of \$100 for the five certificates.
11. The Superintendent renewed the licence in 2017, because FSCO was not yet aware that Ulrich had not completed 30 hours of continuing education for the licensing cycle from January 2015 to January 2017.
12. On December 3, 2018, Ulrich applied to renew her insurance agent licence with FSCO (the “2019 Application”).
13. On January 4, 2019, FSCO processed the 2019 Application and renewed Ulrich’s insurance agent licence.
14. On January 9, 2019, the Superintendent issued a Notice of Proposal to Revoke Licence against Ulrich based on the conduct above (the “Previous NOP”). Ulrich filed a request for hearing on February 4, 2019 and the proceeding (FST file number I0879-2019) remains ongoing at this time.
15. On June 10, 2019, after the issuance of the Previous NOP, FSRA obtained an email from Ulrich to Rutledge dated October 27, 2016.
16. The email dated October 27, 2016 indicates that Ulrich knew that the continuing education certificates were fraudulent. Ulrich asks Rutledge to “[p]lease spread out dates of courses throughout 2016...” Ulrich sent this email more than two weeks after she claimed to have completed the courses.

#### **IV. GROUNDS FOR THE PROPOSAL**

17. Section 392.4(1) permits the Senior Manager to refuse to issue a licence where the Senior Manager believes, on reasonable grounds, that the applicant is not suitable to be licensed having regard to such circumstances as may be prescribed and such other matters as the Senior Manager considers appropriate.
18. Section 7(4) of Ontario Regulation 347/04 permits the Senior Manager to refuse renewal of an insurance agent licence on any grounds for which a licence may be suspended or revoked.
19. Subsection 392.5(1) of the Act permits the Senior Manager to revoke or suspend an insurance agent's licence if the agent has failed to comply with the Act, the regulations or a condition of the licence.
20. Subsection 392.5(2) of the Act and section 8 of the Ontario Regulation 347/04 permit the Senior Manager to revoke a licence on any grounds on which an application can be refused or if it appears to the Senior Manager that the licensee has:
  - a. violated any provision of the licence in the licensee's operations as an agent;
  - b. made a material misstatement or omission in the application for the licence;
  - c. been guilty of a fraudulent act or practice; or
  - d. demonstrated incompetence or untrustworthiness to transact the insurance agency business for which the licence has been granted.
21. The Senior Manager is satisfied that Ulrich has made a material misstatement in her 2017 Application. She represented that she had completed the required education credits even though she had not undertaken 30 hours of continuing education.
22. Ulrich committed a fraudulent act or practice by submitting five continuing education certificates without completing the continuing education.
23. Ulrich knew that she obtained fraudulent certificates and coordinated with Rutledge in an attempt to deceive the regulator.
24. Ulrich contravened section 14 of Ontario Regulation 347/04 by not completing 30 hours of continuing education for the licensing cycle from January 2015 to January 2017.
25. Ulrich's lack of continuing education and intentional deceit further demonstrate her general incompetence and untrustworthiness to transact the insurance business.

26. Based on this behaviour, the Senior Manager believes that Ulrich is not suitable to be licensed as an insurance agent.
27. For all those reasons, and such further and other reasons as may come to the attention of the Senior Manager, the Senior Manager proposes to refuse to renew Ulrich's insurance agent licence.

**DATED** at Toronto, Ontario, February 10, 2021

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Jelena Pejic  
Senior Manager, Licensing Compliance

By delegated authority from the Chief Executive Officer