

Superintendent of
Financial
Services



Surintendant des
services
financiers

REGARDING the *Insurance Act*, R.S.O. 1990, c. I.8, as amended (the “Act”), in particular sections 441.1, 441.2 and 441.3

AND REGARDING Bertie & Clinton Mutual Insurance Company

ORDER TO IMPOSE AN ADMINISTRATIVE PENALTY

Bertie & Clinton Mutual Insurance Company (“Bertie & Clinton”) holds a licence as an insurer issued by the Superintendent, licence number 608.

On November 25, 2015, the Superintendent of Financial Services (“Superintendent”) issued a Notice of Proposal to Impose an Administrative Monetary Penalty in the amount of \$19,000 on Bertie & Clinton. The Superintendent determined that Bertie & Clinton paid commission to Sean Enns who was acting as an insurance agent while unlicensed, from June 9, 2013, through to July 21, 2014. Furthermore, Bertie & Clinton failed to maintain a system that is reasonably designed to ensure that each agent complies with the Act.

The Notice of Proposal was sent by registered mail on December 1, 2015, and Bertie & Clinton had until December 21, 2015 to file a request for hearing with the Financial Services Tribunal.

On December 29, 2015, the Registrar of the Tribunal confirmed that neither Bertie & Clinton nor anyone on its behalf requested a hearing in writing.

ORDER

An Administrative Monetary Penalty in the amount of \$19,000 is imposed on Bertie & Clinton Mutual Insurance Company.

TAKE NOTICE THAT Bertie & Clinton Mutual Insurance Company will be receiving shortly an invoice from Ontario Shared Services, a part of the Ministry of Government and Consumer Services, with information as to where

and how to make the payment. Bertie & Clinton Mutual Insurance Company must pay the Administrative Monetary Penalty no later than 30 days after the date of the invoice.

If Bertie & Clinton fails to pay the Administrative Monetary Penalty in accordance with the terms of this Order, the Superintendent 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 Monetary 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, this 15 day of January 2016.

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Executive Director, Licensing and Market Conduct Division

By Delegated Authority from
The Superintendent of Financial Services