

Superintendent of  
Financial  
Services



Surintendant des  
services  
financiers

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**REGARDING** the *Insurance Act*, R.S.O. 1990, c. I.8, as amended, in particular sections 288.6, 288.7, 441, and 441.3

**AND REGARDING** 2267535 Ontario Inc. carrying on business as Wellness Centres of Ontario

### **INTERIM SUSPENSION ORDER**

**TO:** 2267535 Ontario Inc. carrying on business as  
Wellness Centres of Ontario

Attention: Tatiana Amelian  
Principal Representative

Section 288.6 of the *Insurance Act* (the "Act") provides that the Superintendent of Financial Services (the "Superintendent") may revoke a service provider licence in certain specified circumstances.

Section 288.7 of the Act provides that where the Superintendent proposes to revoke a service provider licence without the licensee's consent, the Superintendent shall give written notice of the proposal to the licensee, including the reasons for the proposal.

Section 288.6(5) of the Act provides that if, in the Superintendent's opinion, the interests of the public may be adversely affected by any delay in the revocation or suspension of a licence as a result of the steps required by section 288.7, the Superintendent may, without notice, make an interim order suspending the licence and may do so before or after giving the notice required by section 288.7(2) with respect to the proposal to revoke or suspend the licence.

### **INTERIM ORDER**

**IT IS ORDERED THAT** the service provider licence of 2267535 Ontario Inc. carrying on business as Wellness Centres of Ontario is suspended. During the suspension, insurers are not permitted to make payment for listed expenses in connection with statutory accident benefits to 2267535 Ontario Inc., and 2267535

**Ontario Inc. is not eligible to be paid directly by an insurer for listed expenses in connection with statutory accident benefits.**

**TAKE NOTICE THAT** pursuant to section 288.6(6) of the Act, this Interim Order takes effect immediately and remains in effect until the expiry of the period for requesting a hearing under section 288.7(3) of the Act about the Superintendent's proposal to revoke the licence of 2267535 Ontario Inc. (15 days after this notice is given).

**AND TAKE NOTICE THAT** pursuant to section 447(2)(b) of the Act, **every person who fails to comply with an order made under the Act is guilty of an offence** and every person or corporation convicted of an offence under the Act is liable to a fine of not more than \$250,000.

Pursuant to section 447(4) of the Act, every director, officer and chief agent of a corporation who caused, authorized, permitted or participated in the corporation committing an offence or who failed to take reasonable care to prevent the corporation from committing an offence is guilty of an offence and is liable on a first conviction to a fine of not more than \$100,000 and on each subsequent conviction to a fine of not more than \$200,000, whether or not the corporation has been prosecuted for or convicted of the offence.

### **REASONS**

1. The Superintendent of Financial Services has issued a notice of proposal to revoke the service provider licence of 2267535 Ontario Inc. carrying on business as Wellness Centres of Ontario ("Wellness").
2. The Superintendent is of the opinion that in the present circumstances the interests of the public may be adversely affected by any delay in the revocation of Wellness' service provider license and therefore the interim suspension of that licence is necessary.
3. The facts presently available indicate that on two separate occasions, undercover agents acting on behalf of an insurer attended at Wellness' offices and told Wellness staff that although they had not been injured in motor vehicle accidents, they wished to falsely claim statutory accident benefits.
4. Wellness' staff or agents, including a chiropractor and a paralegal, agreed to assist in processing false claims to the insurer and provided advice to the undercover agents on how to successfully make a false claim. Wellness staff asked the agents to sign forms indicating that they received treatments that were not provided, created false notes, and submitted false invoices to the insurer billing for services not provided.

5. As a result of the events described above, Wellness' employees or agents were charged with several criminal offences including fraud. Those charges are still pending before the Court.
6. The Superintendent has requested the assistance and cooperation of the Principal Representative of Wellness, Tatiana Amelian ("Ms. Amelian"), in investigating the above false claims, notes, and invoices. Ms. Amelian has refused to assist or cooperate with the Superintendent's request, contrary to section 2(6) of Ontario Regulation 349/13, which states that the principal representative of a service provider licensed under the Act shall provide such attestations on the licensee's behalf relating to the licensee and relating to its compliance with the Act as may be required by the Superintendent and within the time required by the Superintendent. This conduct indicates that Wellness is ungovernable.
7. Taking all of these circumstances into account, in the Superintendent's opinion the interests of the public would be adversely affected by Wellness continuing to hold a licence until the Superintendent's proposal to revoke can be finally dealt with.
8. The alleged activity involves dishonesty and fraud which cannot be effectively monitored and addressed through licensing conditions.
9. In the Superintendent's view, the criteria for issuing an interim suspension order have therefore been met.

**DATED** at Toronto, Ontario, \_\_\_\_\_, 2016.

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Executive Director Licensing and Market Conduct Division

By delegated authority from the  
Superintendent of Financial Services