



**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** the *Automobile Insurance Rate Stabilization Act*, 2003, S.O. 2003, c. 9, as amended (“AIRSA”), in particular section 11.3

**AND REGARDING** TD General Insurance Company

### **ORDER TO IMPOSE AN ADMINISTRATIVE PENALTY**

TD General Insurance Company (“TD General”) holds insurer licence 353 issued by the Superintendent of Financial Services (“Superintendent”) under the Act.

On April 28, 2016, the Superintendent issued a Notice of Proposal to impose an administrative penalty of \$5,000 on TD General. The Superintendent had determined that during the period including January 2013 through November 2014, TD General charged rates for automobile insurance in the Personal Vehicles – Private Passenger Automobile category that were not approved by the Superintendent, in contravention of section 8 of the AIRSA. In particular, TD General’s contravention involved mid-term modifications to an insurance policy’s “principal group” and “rating group” properties.

The Notice of Proposal was given to TD General on May 2, 2016, and TD General had 15 days to request a hearing by the Financial Services Tribunal (“Tribunal”) in accordance with the Act.

The Registrar of the Tribunal has confirmed that, as of May 18, 2016, no request for hearing has been filed by TD General or anyone on its behalf.

Subsection 441.3(7) of the Act provides that the Superintendent may carry out the proposal to impose the administrative penalty if no hearing has been requested.

### **ORDER**

**Pursuant to subsection 441.3(7) of the Act, an administrative penalty of \$5,000 is imposed on TD General Insurance Company.**

TAKE NOTICE THAT TD General Insurance Company will receive 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.

FURTHER, TAKE NOTICE THAT TD General Insurance Company must pay the administrative penalty no later than 30 days from the date of the invoice. If TD General Insurance Company fails to pay the administrative 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 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, May 19, 2016

*original signed by Brian Mills*

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Brian Mills  
Superintendent of Financial Services