

surintendant des services financiers

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

AND REGARDING

Albert Varela Suite 107-6750 Winston Churchill Blvd Mississauga ON L5N 4C4

AND REGARDING

2538307 Ontario Limited, carrying on business as Alliance Physio Wellness Suite 107-6750 Winston Churchill Blvd. Mississauga ON L5N 4C4

ADMINISTRATIVE PENALTY ORDER

Albert Varela ("Mr. Varela") is the Principal Representative of a service provider under the Act, 2538307 Ontario Limited, carrying on business as Alliance Physio Wellness ("Alliance"). Mr. Varela's former business, of which he was the Principal Representative, was Varela Chiropractic Corporation, also known as Alevia Health and Wellness Centre ("Alevia").

On July 10, 2017, the Superintendent of Financial Services ("Superintendent") issued a Notice of Proposal ("Notice") to impose an administrative penalty in the amount of \$4,000 on Mr. Varela and Alliance, for making two false statements to the Superintendent contrary to clause 447(2)(a) of the Act and for contravening subsection 4(1) of Ontario Regulation 187/08. The Notice was served on Mr. Varela on July 10, 2017.

Mr. Varela had 15 days after the Notice was given to request a hearing before the Financial Services Tribunal ("Tribunal") in accordance with subsection 441.3(5) of the Act.

Mr. Varela did not request a hearing. Mr. Varela and Alliance entered into Minutes of Settlement with the Superintendent in which they acknowledged the above two contraventions of the Act and agreed to pay the administrative penalty.

ORDER

An administrative penalty in the amount of \$4,000 is imposed on Albert Varela and on 2538307 Ontario Limited, carrying on business as Alliance Physio Wellness.

TAKE NOTICE THAT Albert Varela and 2538307 Ontario Limited, carrying on business as Alliance Physio Wellness, 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. Mr. Varela and Alliance must pay the administrative penalty no later than 30 days after the date of the invoice.

If Mr. Varela or Alliance fail 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, this day of , 2018.

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Executive Director, Licensing & Market Conduct Division

By delegated authority from The Superintendent of Financial Services