



REGARDING the *Automobile Insurance Rate Stabilization Act, 2003*, S.O. 2003, c. 9, as amended (the "**AIRSA**"), and in particular sections 11.1, 11.2 and 11.3

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

AND REGARDING TD Home and Auto Insurance Company ("**TDHA**")

ORDER TO IMPOSE AN ADMINISTRATIVE PENALTY

TDHA is licensed by the Superintendent of Financial Services (the "**Superintendent**") as an automobile, liability and property insurer (license #1063).

The Superintendent issued a Notice of Proposal to Impose Administrative Monetary Penalties against TDHA on January 14, 2019 in respect of charging rates other than the authorized rates for the Personal Vehicles – Private Passenger Automobile category of automobile insurance, contrary to section 8 of the *AIRSA*. TDHA requested a hearing before the Financial Services Tribunal in respect of the Notice of Proposal.

The Superintendent and TDHA wish to resolve the issues arising from the Notice of Proposal and the Request for Hearing and have entered into a settlement agreement.

TDHA has consented to the Superintendent issuing administrative penalties on TDHA in the cumulative amount of \$600,000. The Superintendent has determined that TDHA contravened section 8 of the *AIRSA* by charging rates other than the authorized rates for the Personal Vehicles – Private Passenger Automobile category of automobile insurance.

TDHA has withdrawn its Request for Hearing.

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

ORDER

Pursuant to section 11.3 of the *AIRSA*, administrative penalties in the cumulative amount of \$600,000 are imposed on TDHA.

TAKE NOTICE THAT TDHA 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. TDHA must pay the administrative penalties no later than 30 days after the date of the invoice.

If TDHA fails to pay the administrative penalties 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 on the day of , 2019

Brian Mills
Superintendent of Financial Services