

## **Superintendent of Financial Services**

**Regarding** the life insurance agent licence of  
Chien-Ming Huang

**AND** the Insurance Act, R.S.O. 1990, c.1.8, as amended,  
particularly subsections 393(9) – 393(11)

### **DECISION**

#### Introduction:

A Notice of Opportunity for Hearing dated August 20, 2008 (the Notice) informed Chien-Ming Huang of allegations against him and the opportunity to a hearing before an Advisory Board. The Notice advised Mr. Huang that if a hearing was not requested the Superintendent would make a decision based on information in possession of the Financial Services Commission of Ontario (the Commission). Mr. Huang was also advised that such decision could include suspension or revocation of his licence as a life insurance agent.

I have received an affidavit (the Affidavit) of Swapna Chandra, legal counsel at the Commission. Among other things this affidavit stated that a copy of the Notice was served on Mr Huang by registered mail and that Mr. Huang contacted Ms. Chandra and acknowledged receipt of the Notice. The affidavit further stated that Mr. Huang said that he did not wish to continue with his licence, and accordingly did not want a hearing.

I am satisfied that the Notice of Opportunity for Hearing has been properly served, and that Mr. Huang did not avail himself of the opportunity for a hearing.

A copy of the allegations is attached to this Decision.

#### The Evidence:

Since Mr. Huang has not requested a hearing, the evidence of Commission staff in the particulars attached to the Notice is uncontroverted.

The evidence can be summarized as follows. Mr. Huang declared in his application for renewal of his licence that he had not completed the required continuing education and requested an extension of time to

complete the requirement. His licence was renewed on this basis and a non-compliance letter was sent to him. Commission staff made numerous attempts to contact Mr. Huang by telephone and email about completion of the continuing education requirement, including sending a second notice of non compliance. No response was received from Mr. Huang.

#### Findings of Fact

I find the first allegation is established by virtue of Mr. Huang's admission on his licence application and his subsequent failure to respond to the Commission to provide proof that the continuing education obligation had subsequently been satisfied. I find the second allegation to be established by virtue of Mr. Huang's failure to facilitate an examination by responding to Commission staff

In the absence of testimony by Mr. Huang, there are no explanations for his behaviour or mitigating circumstances to consider.


#### Decision:

I have found that Mr. Huang has not completed the continuing education requirement and has failed to facilitate an examination.

As previously noted, the affidavit from Swapna Chandra stated that Mr. Huang has stated that he did not wish to continue his licence.

The findings of failure to complete the continuing education requirement and failure to facilitate an examination warrant a penalty. Considering that Mr. Huang has stated that he does not wish to continue his licence, I hereby revoke the life insurance agent's licence of Chien-Ming Huang.

Dated at Toronto, this 3rd day of November, 2008

  
Executive Director, Licensing and Market Conduct  
by delegated Authority from  
Superintendent of Financial Services

### **Schedule 1**

The following allegations were set out in the Notice

1. Huang has contravened section 14 of Regulation 347/04 by failing to complete at least 30 hours of continuing education acceptable to the Superintendent in respect of life insurance.
2. Huang is not otherwise suitable to continue his licence per section 4(1)(i) of Regulation 347/04 for the reasons stipulated below.