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**Financial Services
Commission
of Ontario**

5160 Yonge Street,
Box 85
Toronto ON M2N 6L9

REGARDING the Insurance Act, R.S.O. 1990, c.1.8, as amended, in particular, sections 393(9) - 393 (11) and 443(1) & 443(2)

AND REGARDING Erica Lynn Caron

DECISION and ORDER

Introduction:

A Notice of Opportunity for Hearing dated January 31, 2012 (the Notice) informed Erica Lynn Caron of allegations against her and the opportunity for a hearing before an Advisory Board. The Notice advised Ms Caron 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). Ms Caron was also advised that such decision could include suspension or revocation of her licence as a life insurance agent.

I have received an affidavit from Richard Watts, Investigator at the Commission that the Notice was sent by registered and regular mail to the address on file at the Commission and that Canada Post confirmed successful delivery of the Notice. The affidavit further states that no request for a hearing was received. I am satisfied that the Notice was

properly served in accordance with the provisions of the Insurance Act and that Ms Caron has not requested a hearing.

A copy of the allegations is attached to this decision and order.

The Evidence:

Since Ms Caron 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. An insurance company [name withheld for purposes of this decision and order] advised the Commission that it had terminated Ms Caron's contract due to alleged fraud and misrepresentation in the sale of 42 insurance policies. The Commission contacted Ms Caron and advised her of her obligation to facilitate an examination of these allegations. Ms Caron provided two telephone numbers at which she could be contacted. Numerous attempts to contact Ms Caron at the numbers were unsuccessful despite messages left by the investigator

Findings of Fact

I find the first and second allegations to be established by virtue of the agent's failure to respond to numerous messages left by the investigator at the telephone numbers she had provided and by her failure to request a hearing to respond to the allegations against her. An insurance agent is required to facilitate an examination and failure to do so makes him or her unsuitable as an agent.

Decision:

I have found that Ms Caron is unsuitable to be an insurance agent.

Serious allegations of fraud and misrepresentation by Ms Caron had been reported by an insurance company to the Commission. Ms Caron did not respond to numerous attempts by the Commission to investigate these allegations. An insurance agent that does not recognize the authority of the Commission is unsuitable to be an insurance agent.

Since Ms Caron has not requested a hearing, there is no basis to assess whether there are mitigating circumstances, nor is there any demonstrated interest in maintaining her licence as an insurance agent.

Accordingly considering the lack of suitability and her failure to request and attend a hearing, I believe that the appropriate penalty is revocation of Ms Caron's licence as an insurance agent.

ORDER

Accordingly, the life insurance agent licence of Erica Lynn Caron is hereby revoked by this order.

Dated at Toronto, this nineteenth day of June, 2012

Original Signed By

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

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