

Christine Whalen
Registration Number: D31492
Pontypool, Ontario

HEARING DATE: April 12th, 2018

MISCONDUCT: Ontario Regulation 991, ss. 14(1) and (3)

PARTICULARS OF THE COMPLAINT:

At all material times, Ms. Christine Whalen was a registered insurance broker conducting business in the Town of Omemee, Ontario.

Based on information received by RIBO, it appears that Ms. Christine Whalen may have committed misconduct by not placing insurance coverage on a 2015 Polaris ATV as requested by her client, leaving the client uninsured from November 18, 2015 to March 21, 2016.

DISCIPLINE COMMITTEE'S DISPOSITION:

The Discipline Committee received submissions from Counsel for RIBO, including the filing of an Affidavit of Service from a process server, sworn and dated October 21, 2017, indicating that Christine Whalen was personally served with the Notice of Hearing and Direction on December 10, 2017, and after consideration thereof, finds that Christine Whalen was properly served with the Notice of Hearing and Direction. Ms. Whalen was not in attendance at the Hearing.

The Discipline Committee noted that Christine Whalen did not renew her license on or before September 30, 2016 and that RIBO accordingly de-registered her effective September 30, 2016. The Discipline Committee retained jurisdiction to hear the matter as the events in question occurred during the time Christine Whalen was registered with RIBO and in accordance with the provisions of Section 5 of the *Registered Insurance Brokers Act*.

The Discipline Committee accepted the evidence adduced by RIBO in the proceedings which included Exhibits that were filed and the testimony of the Operations Manager of Christine Whalen's former brokerage and the insured and finds that Christine Whalen is guilty of misconduct and particularly Sections 14.1 and 14.3 of the Code of Conduct in Ontario Regulation 991 and the Particulars of the Complaint which are set out in paragraphs 1 and 2 of the Direction. The Discipline Committee ordered:

- (a) That a recommendation be made to the Qualification and Registration Committee that Christine Whalen not be allowed to apply for a Certificate

of Registration for a period of not less than six (6) months from the date of this Decision and only if she takes and successfully complete and pass the Basic Broker Licensing Course and examination.

- (b) That a recommendation be made to the Qualification and Registration Committee that Christine Whalen successfully complete and pass the Law & Ethics education course provided through the Insurance Brokers Association of Ontario or The Insurance Institute of Ontario and provide RIBO with the Certificate of Completion.