

REGISTERED INSURANCE BROKERS OF ONTARIO

DISCIPLINE COMMITTEE

File No.: 6829

Between:

THE REGISTERED INSURANCE BROKERS OF ONTARIO

and

Liam Chandran, Licensee R31674

PANEL MEMBERS:

- Jamie Gordon, Chair
- Mike Moyer, Broker
- Mario Laraia, Broker
- Diane Scott, Public Member

IN ATTENDANCE:

- Patricia Harper, Counsel for RIBO
- Heather Vaughan, Independent Legal Counsel to the Discipline Committee
- Jackie Graham, Court reporter

Heard: June 27, 2024

DECISION AND REASONS

INTRODUCTION:

This matter was heard on June 27, 2024 virtually pursuant to the *Registered Insurance Brokers Act*, R. S. O. 1990, c. R.19, (RIBA) and the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22 and the regulations thereunder. The hearing proceeded uncontested by way of an Agreed Statement of Facts in a Joint Submission on Penalty.

This hearing was convened pursuant to the provisions of the RIBA and the Regulations thereunder and was referred to the Discipline Committee (“the Panel”) under section 18 of the RIBA by the RIBO Complaints Committee.

ALLEGATIONS OF MISCONDUCT AND PLEA:

The allegations of misconduct, to which the Licensee plead guilty, was that the Licensee provided an automobile quote to a client and that when the policy came in, the premium was significantly higher due to an at fault accident by the client's former husband. The Licensee failed to communicate this fact to the client contravening the *Code of Conduct* in RIBA Ontario Regulation 991, sections 14.3 which constitutes misconduct under RRO 991 s. 15(1) paragraph 8.

The notice of hearing and direction was marked as **Exhibit #1** and the Panel confirmed proper service of that documentation in accordance with the RIBA.

The Licensee pled guilty to the allegations set out in paragraphs 1 of the Notice of Direction and Panel found that this guilty plea was free and voluntary.

DECISION ON FINDINGS:

The parties proceeded by way of an Agreed Statement of Facts which was marked as **Exhibit #2** and accepted into evidence. The Panel found that there was sufficient evidence in the Agreed Statement of Facts to support the allegations of misconduct and found the member guilty.

REASONS FOR DECISION:

The Licensee admitted that he had failed to communicate to the insured in a timely manner with regard to the increased premium. The Agreed Statement of Facts was reviewed in detail by the Panel and sufficient evidence to confirm the allegations was found. The Licensee was found guilty by the Panel of professional misconduct for not serving the client in a conscientious, diligent and efficient manner.

PENALTY ORDER MADE:

The parties submitted a Joint Submission on Penalty which was marked as **Exhibit #3** by the Panel. The Discipline Committee agreed with the Joint Proposal with the following penalty for this conduct;

1. The Broker will be reprimanded; and,
2. Within twelve (12) months from the date of the Order of the Discipline Committee, that Broker shall complete one course in the Professional Development and/or Ethics categories which focus on customer service and/or client communication.

REASONS FOR THE ORDER:

This case revolved around the lack of communication between the Licensee and the insured. The Panel felt that the penalty was proper for the error in judgement that the Licensee made.

The Panel felt that the penalty satisfied the specific deterrence to the Licensee, the general deterrence to other RIBO Licensees and appropriate remediation and rehabilitation to the Licensee, all with the ultimate goal of protecting the public.

Signed:

Jamie Gordon

August 6, 2024

Discipline Committee Chair

Date