

Michael Smith
Registration Number: D29026
Barrie, Ontario

HEARING DATE: February 7, 2013

MISCONDUCT: Ont. Reg. 991, ss. 14(1) and (3)

PARTICULARS OF THE COMPLAINT:

As a result of an allegation made by a client of Michael Smith, he may have failed to discharge his duties to his client, fellow members and insurers with integrity, by providing an automobile liability certificate dated April 15, 2010 to his client and subsequently neglecting to notify her that the insurer declined the application for coverage.

Further, that Michael Smith did not provide the quality of service expected as he did not inform his client that her automobile coverage was declined nor did he provide alternative coverage. It was a result of the client reporting a loss on May 22, 2010, that she was informed that there was no policy in place to respond to her claim.

DISCIPLINE COMMITTEE'S DISPOSITION:

The Discipline Committee accepted the plea of guilty by Michael Smith and accepts the evidence adduced by RIBO in support of the plea of guilty, including a joint Submission as to penalty, signed on December 28, 2012 by Michael Smith, and finds that Michael Smith is guilty of misconduct as set out in paragraphs 1, 2 and 3 of the Direction. The Discipline Committee therefore ordered:

- (a) That Michael Smith be reprimanded.
- (b) That a recommendation be made to the Qualification and Registration Committee that they not approve any application for reinstatement of the Certificate of Registration by Michael Smith for a period of 30 days from the date of this Order.