

CAUTION: While the information contained below is public, members should take caution that inappropriate use of this information may be considered to be an act of misconduct.

**Cheryl Lynn Dietrich
Registration Number: D22405
London, Ontario**

HEARING DATE: November 15, 2007

MISCONDUCT: Ont. Reg. 991, ss. 14(1), 16(4-1), (4-4)

PARTICULARS OF THE COMPLAINT:

Cheryl Lynn Dietrich was charged with failing to discharge her duties to clients, members of the public, fellow members and insurers with integrity. She was also charged with failing to deposit trust monies into a trust account or in an investment, as described under the regulations. The charges resulted from Ms. Dietrich submitting an application for automobile insurance to an insurance company to insure her client's vehicle. The insured did not qualify for that insurance company so the application was declined and a cheque representing a refund was sent to the client. The client met with Cheryl Lynn Dietrich and signed an application for coverage through another insurance company effective November 11, 2006. The client endorsed the previous insurance company's refund cheque to use as a deposit on the new insurance company policy. Ms. Dietrich also sent the client a letter dated November 27, 2006. However, before sending the application into the insurance company for processing, Ms. Dietrich changed the effective date to December 11, 2006 and the expiry date to March 11, 2007. In addition, she countersigned the client's previous insurance company's refund cheque and deposited it into her own personal bank account.

This situation came to light by Ms. Dietrich's former employer, who in turn contacted the new insurance company who agreed to issue the policy with the November 11, 2006 effective date and Ms. Dietrich's former employer issued a broker cheque to offset the amount of the refund cheque. Ms. Dietrich was terminated and the amount owing was deducted from her final pay.

DISCIPLINE COMMITTEE'S DISPOSITION:

The Discipline Committee noted that Cheryl Lynn Dietrich did not renew her RIBO license for the renewal period 2007/2008, and therefore in October 2007 her RIBO license was deregistered for non-renewal.

The Discipline Committee found that it had jurisdiction to hear the matter as the events in question occurred during the time Cheryl Lynn Dietrich was registered with RIBO.

The Discipline Committee heard the evidence of Cheryl Lynn Dietrich's former employer, her client and a representative from the insurance company, and found their evidence to be credible and un-contradicted.

Upon reviewing and considering all evidence the Discipline Committee found Ms. Dietrich guilty of all charges before them and ordered:

- (a) That a recommendation be made to the Qualification and Registration Committee that they not consider any application for reinstatement by Cheryl Lynn Dietrich for a period of not less than five (5) years, commencing from the date of the Order.