

## **Consensual Agreement and Undertaking**

**Between**

**The Complaints and Investigation Committee  
of  
The General Insurance Council of Saskatchewan  
("the Committee")**

**and**

**Canada Brokerlink Inc. o/a Canada Brokerlink a/o/a Brokerlink**

The Committee is authorized under Bylaw 7, Section 5, subsection 3, subparagraph (b), to enter into consensual resolutions of complaints.

Bylaw 5, Section 1, subsection 1 reads: "The administrator shall, in addition to the requirements for the contents of a register required by the Act and the regulations, record on the register the existence and results of all disciplinary decisions or orders, court orders, alternative dispute resolution agreements, undertakings and mediation agreements involving a licensee or a person to whom the General Insurance Council of Saskatchewan (Council) has the authority to issue a licence." Disciplinary actions as described are reported on the Insurance Councils of Saskatchewan website and the Canadian Insurance Regulators Disciplinary Actions (CIRDA) database.

**Canada Brokerlink Inc. o/a Canada Brokerlink a/o/a Brokerlink ("Brokerlink")  
acknowledges and agrees that:**

1. Brokerlink violated Council Bylaws when:
  - A. Contrary to Bylaw 8, Section 2 (d) it failed to exercise due diligence, resulting in material mis-statements on applications for a licence or reports to continue a licence;
  - B. Contrary to Bylaw 8, Section 2 (g) a licensee may be guilty of misconduct if the licensee: violates any provisions of the Act, the Regulations or the Bylaws;
    - i. As per Bylaw 2, Section 1, subsection (4)(c)(ii) it failed to notify Council within 30 days of the commencement of any professional, occupational, or regulatory body proceedings involving the licensee.

- When it failed to provide notice to Council within 30 days of the Decision being issued by the Alberta Insurance Council on October 15, 2014
- C. Contrary to Bylaw 8, Section 2, subsection (r) it:
- i. Failed to exercise reasonable and prudent oversight when acting in a supervisory capacity;
- D. Contrary to Schedule A, Part II, Section 6 - Requirements for an All Classes other than Life Agency Licence;
- (2) An agency must designate one Level 3 licensee who is employed predominately by the agency to be responsible for the overall management and supervision of the agency and its office locations.
3. Brokerlink's rights to appear before a Discipline Committee of Council have been explained to it and it fully understands its rights and/or obligations under Council Bylaw 10;
  4. It waives its rights to appear before a Discipline Committee and undertakes not to exercise any appeal rights they may have under Council Bylaw 10, Section 3 or *The Act*, as it relates to matters set out in this Consensual Agreement and Undertaking (Agreement).
  5. This Agreement does not preclude Council from pursuing any future investigation against Brokerlink for future activities not identified in this Agreement that may be in violation of Council Bylaws or *the Act*.
  6. Brokerlink has been advised by the Committee that it is in its interests to obtain independent legal advice before entering into this Agreement.
    - a. Brokerlink has obtained such independent legal advice and are satisfied with the same, prior to executing this Agreement; or
    - b. Brokerlink has willingly chosen not to obtain such advice prior to executing this Agreement.
  7. Brokerlink hereby affirms that they have read and understood the terms of this Agreement, and they are signing it voluntarily and of their own free will.

**Brokerlink, having waived it's rights, undertakes to:**

1. Pay a fine in the amount of \$3500.00
1. Reimburse Council's investigation costs in the amount of \$1,650.00

2. Pay all fines and investigative costs within 30 days of receipt of this Agreement.
3. Provide a summary of all insurance related civil actions in which Brokerlink is named as a defendant for the period of January 1, 2012 through to and including October 18, 2017.
4. Provide with every Annual Reporting Form an updated summary of all insurance related civil actions in which Brokerlink is named as a defendant.

**The Committee's Agreement:**

1. The Committee agrees to accept from Brokerlink the payment of \$5,150.00 as full and final resolution of the violations of Council's Bylaws as outlined in this Agreement; and
2. The Committee further agrees to take no further action against Brokerlink for the acknowledged violations of Council's Bylaws that are set out in this Agreement.

Dated at Edmonton, in the Province of Alberta, this 4th day of December, 2017.

*Originally Signed by*

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**Domenico Antonio Consalvo for Canada Brokerlink Inc. o/a Canada Brokerlink a/o/a Brokerlink**

Dated at Saskatoon, in the Province of Saskatchewan, this 7th day of December, 2017.

*Originally Signed by*

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**Laureen Major, Co-Chair, Complaints and Investigation Committee  
General Insurance Council of Saskatchewan**

Dated at Regina, in the Province of Saskatchewan, this 5th day of December, 2017.

*Originally Signed by*

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**Anne Parker, Co-Chair, Complaints and Investigation Committee  
General Insurance Council of Saskatchewan**