

Consensual Agreement and Undertaking

Between

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

and

Affinity Insurance Services Inc.

And

Glen John Roy Hufsmith

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.

Affinity Insurance Services Inc. ("Affinity") acknowledges and agrees that:

1. it violated Council Bylaws when:
 - A. Contrary to Bylaw 8, Section 1 (a) it acted contrary to the best interests of the consumer or licencees or insurance companies by allowing unlicensed salespersons to transact in insurance:

- When it allowed three unlicensed individuals to act within the definition of insurance agent.
- B. Contrary to Bylaw 8, section 2 (g) it violated provisions of the Act, the regulations or the bylaws when it:
- i. Acted contrary to Section 418. When it appointed, permitted or authorized any person to do any of the things in respect of which a licence is required unless the person is the holder of a subsisting licence.
 - ii. Acted contrary to Section 444. When it compensated unlicensed persons for sales of insurance while they did not hold an active licence.
- C. Contrary to Bylaw 8, Section 2 (q) it:
- i. Failed to follow sound business practices:

Glen John Roy Hufsmith (“Hufsmith”) acknowledges and agrees that:

- A. Contrary to Bylaw 8, Section 2 (r) he:
- ii. Failed to exercise reasonable and prudent oversight when acting in a supervisory capacity.

Affinity and Hufsmith acknowledge and agree that:

2. Their rights to appear before a Discipline Committee of Council have been explained to them and they fully understand their rights and/or obligations under Council Bylaw 10;
3. They waive their rights to appear before a Discipline Committee and undertake not to exercise any appeal rights they may have under Council Bylaw 10, Section 3 or *The Saskatchewan Insurance Act*, (the Act) as it relates to matters set out in this Consensual Agreement and Undertaking (Agreement).
4. This Agreement does not preclude Council from pursuing any further investigation against Affinity and/or Hufsmith for future activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.

5. Affinity and Hufsmith have been advised by the Committee that it is in their interests to obtain independent legal advice before entering into this Agreement. They have either:
 - a) Obtained such independent legal advice and are satisfied with the same, prior to executing this Agreement, or
 - b) Willingly chosen not to obtain such advice prior to executing this Agreement.
6. Affinity and Hufsmith hereby affirm that they have read and understand the terms of this Agreement, and are signing it voluntarily and of their own free will.

Affinity, having waived its rights, undertakes to:

1. Pay a fine in the amount of \$4,950.00

Hufsmith, having waived his rights, undertakes to:

1. Pay a fine in the amount of \$250.00

Affinity and Hufsmith jointly or severally agree to:

- i. Reimburse Council's cost of investigation in the amount of \$1,100.00.
- ii. Pay all fines and investigative costs within 30 days of receipt of this Agreement.

The Committee's Agreement:

1. The Committee agrees to accept from Affinity and/or Hufsmith the payment of \$6,300.00 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 Affinity and/or Hufsmith for the acknowledged violations of Council's Bylaws that are set out in this Agreement.

Consensual Agreement and Undertaking
Affinity Insurance Services Inc & Glen John Roy Hufsmith

Dated at Saskatoon, in the province of, Saskatchewan, this 19th day of July, 2018.

Originally Signed by

Darcy Shenher for Affinity Insurance Services Inc

Dated at Saskatoon, in the province of, Saskatchewan, this 19th day of July, 2018.

Originally Signed by

Glen John Roy Hufsmith

Dated at Saskatoon, in the province of, Saskatchewan, this 31st day of July, 2018.

Originally Signed by

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

Dated at Regina, in the province of, Saskatchewan, this 7th day of August, 2018.

Originally Signed by

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