



# **DECISION**

## **IN THE MATTER OF**

### **THE LIFE INSURANCE COUNCIL OF SASKATCHEWAN** ("Council")

### **MARKET PRACTICES COMMITTEE** ("the Committee")

### **RESPECTING**

### **Maverick John Cromartie** ("the Licensee")

The Committee is authorized under Council's Bylaw 2, section 2-3, to investigate complaints and adjudicate or mediate disputes respecting alleged non-compliance with *The Insurance Act* (the "Act"), *The Insurance Regulations* (the "regulations") or the Life Insurance Council's Bylaws by applicants, licensees or persons who are required to be licensees pursuant to clause 5-31(3)(i) of the regulations, and to make decisions respecting penalties and other charges pursuant to clause 5-31(3)(k) of the regulations.

The Market Conduct Auditor of the Insurance Councils of Saskatchewan conducted an audit in relation to the continuing education ("CE") records of the Licensee. The results of that audit were submitted to the Compliance and Enforcement Branch of Council ("Compliance") to conduct an investigation.

A Notice of Proposed Action dated March 5, 2024 enclosing a Consensual Agreement and Undertaking ("the Agreement") was served on the Licensee on March 6, 2024. The Agreement notified the Licensee that fines were being sought against him for breaching Council's Bylaws. The Licensee did not respond to Council in accordance with the timelines set out in the Agreement.

The Licensee's Life and Accident & Sickness licence 084515 was cancelled on March 9, 2024, as the Licensee failed to renew his licence.

The Licensee did not provide written representations or request a hearing to advise the Committee as to why the actions identified in the Agreement should not be taken, pursuant to section 10-11(3) of the Act, within the required time.

As the Licensee failed to meet the requirements of section 10-11(3), of the Act within the required time, the Committee has confirmed that the actions outlined in the Agreement will be taken, pursuant to section 10-11(6) of the Act.

**MISCONDUCT AND BYLAW VIOLATIONS BY THE LICENSEE:**

**Bylaw 4-1 Professional misconduct**

(1) For the purposes of the Act, the regulations and these bylaws, professional misconduct is a question of fact but includes any matter, conduct or thing, whether or not disgraceful or dishonorable that:

(c) is a breach of the Act, the regulations or these bylaws.

**Bylaw 4-1 Professional misconduct**

(2) Without limiting the generality of subsection 4-1(1), a licensee may be guilty of misconduct if the licensee:

(u) fails to reasonably respond to inquiries from LICS or ICS;

**REASON FOR THE DECISION:**

As the Licensee failed to provide written representations or request a hearing, the Committee, pursuant to section 10-11(11) of the Act, considers the Agreement appropriate and makes the following order:

**THE COMMITTEE HEREBY ORDERS THAT:**

1. The Licensee pay the following fine:

<b>Bylaw 4-1(2)(u)</b> for Failure to Respond	<u>\$ 300.00</u>
<b>Total:</b>	<b>\$ 300.00</b>

2. The Licensee pay the costs of investigation: 2 hours at \$110.00 per hour = \$220.00.

3. The Licensee must pay the fine and costs of investigation, in the amount of \$520.00, before he will be re-issued a licence.

4. The Licensee must provide copies of his CE certificates to satisfy the CE requirement for the February 7, 2022, to February 7, 2023, reporting period before he will be re-issued a licence.

Dated at Saskatoon, in the Province of Saskatchewan, this **April 17** day of April 2024.

***Originally signed by:***

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Som Houmphanh, Chair  
Market Practices Committee  
Life Insurance Council of Saskatchewan

**Section 5-39(3)**

If a penalty imposed against a holder of an insurance intermediary's licence pursuant to subsection (2) **is not paid within 30 days after the holder is served with the written notice of the penalty and the decision of the Superintendent is not appealed, the licence is automatically suspended** immediately following the last date for paying the penalty or appealing the decision, whichever is later, and remains suspended until the penalty is paid or the licence expires.