

Consensual Agreement and Undertaking

Between

Jeffrey James Trail

and

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

Jeffery James Trail (Trail) acknowledges and agrees that:

1. It is a licensed Adjusting Firm owned and operated by Jeffrey James Trail.
2. It violated The General Insurance Council (Council) Bylaws when:
 - a. contrary to Schedule A, Part II, Section 6, subsection (1) it failed to maintain a valid policy of errors and omissions insurance; and
 - b. contrary to Schedule A, Part II, Section 6, subsection (2) it failed to immediately notify Council of cancellation or non-renewal of his errors and omissions insurance.
3. The breach occurred when it allowed its errors and omissions insurance certificate to lapse on July 19, 2009.
4. It was without errors and omission insurance until February 12, 2010 when it renewed its errors and omissions insurance.
5. It was without errors and omissions insurance for 206 days.
6. Trail's rights to appear before a Discipline Committee of Council has been explained to the company's owner/operator and he fully understands his rights and/or obligations under Council Bylaw 10;
7. Trail waives it rights to appear before a Discipline Committee and undertakes not to exercise any appeal rights it may have under Council Bylaw 10, Section 3 or *The Saskatchewan Insurance Act*, (the Act) as it relates to matters set out in this agreement and undertaking.
8. Trail has been advised by The Committee that it is in its interests to obtain independent legal advice before entering into this consensual agreement and undertaking.

Jeffery James Trail having waived its rights undertakes to:

1. Pay a fine in the amount of \$822.00; and
2. Reimburse Council's investigation costs in the amount of \$220.00.

The Committee's Agreement:

1. The Committee agrees to accept from Trail the payment of \$1042.00 as full and final resolution of his violation of Council's Bylaws; and
2. The Committee further agrees to take no further action against Trail for the acknowledged violations of Council's Bylaws that are set out in this agreement.

Dated at Regina, in the Province of Saskatchewan, this 19 day of March, 2010.

Originally signed by:

Jeffery James Trail for Jeffrey James Trail

Dated at Regina, in the Province of Saskatchewan, this 19 day of March, 2010.

Originally signed by:

**Bill Schwandt, Chairman, Complaints and Investigation Committee
General Insurance Council of Saskatchewan**