

## **Consensual Agreement and Undertaking**

**Between**

**Tracy Valgardsson Enns**

**and**

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

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

The Committee is required under Bylaw 5, Section 1, subsection 1 to record on the register the existence of all disciplinary decisions or orders, court orders of suspension, alternative dispute resolution agreements, undertaking and mediation agreements in accordance with council policy. Disciplinary actions as described above are reported in the Bulletin published by the Insurance Councils of Saskatchewan.

### **Tracy Valgardsson Enns (Enns) acknowledges and agrees that:**

1. She violated The Life Insurance Council (Council) Bylaws when:
  - a. contrary to Schedule A, Part II, Section 6, subsection (1) she failed to maintain a valid policy of errors and omissions insurance.
  - b. contrary to Bylaw 2, Section 1, subsection (4(d)) she failed to notify Council within 30 days of the cancellation or non-renewal of her errors and omissions insurance.
2. The breach occurred when she allowed her errors and omissions insurance (E&O) to lapse effective Dec.31 2012 and did not replace her E&O until Jan.16 2013.
3. She was without E&O coverage for 15 days.
4. Her rights to appear before a Discipline Committee of Council have been explained to her and she fully understands her rights and/or obligations under Council Bylaw 10.
5. She waives her rights to appear before a Discipline Committee and undertakes not to exercise any appeal rights she 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).
6. This Agreement does not preclude the Committee from pursuing any other investigation against her for activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.

7. She has been advised by the Committee that it is in her interests to obtain independent legal advice before entering into this Agreement.

**Enns having waived her rights undertakes to:**

1. Pay a fine in the amount of \$383.00;
  - a. The fine consists of:
    - i. the per diem cost of the E&O multiplied by the 15 days she was without E&O plus 20% of the annual E&O premium had it been in force.
2. Reimburse Council's investigation costs in the amount of \$330.00.

**The Committee's Agreement:**

1. The Committee agrees to accept from Enns as full and final resolution to the acknowledged violations of Council Bylaws as set out in this Agreement the following:
  - a. payment of \$713.00;

Dated at Moose Jaw, in the Province of Saskatchewan, this 24 day of July, 2013.

*Originally signed by:*

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**Tracy Valgardsson Enns**

Dated at Saskatoon, in the Province of Saskatchewan, this        day of July, 2013.

*Originally signed by:*

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**Ian Colborne, Chairman, Complaints and Investigation Committee  
Life Insurance Council of Saskatchewan**

