

**COUNCIL DECISIONS
REMAINING 2007 COUNCIL DECISIONS**

**GREGORY MACKAY HICKS
("NOMINEE")**

VANCOUVER, B.C.

(Level 3 General Insurance Nominee)

**GREGORY M. HICKS INSURANCE SERVICES LTD.
AND HICKS INSURANCE AGENCY (1991) LTD.
BOTH DBA HICKS INSURANCE SERVICES
("AGENCY")**

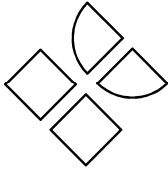
VANCOUVER, B.C.

(General Insurance Corporate Agent)

Council determined the Nominee and the Agency breached a condition of their licences and the Nominee failed to act in a competent and financially reliable manner and ordered:

- the Nominee's Level 3 general insurance nominee's licence be cancelled for a minimum period of two years;
- as a condition of the Agency's licence, and for a minimum period of two years, the Nominee will not be permitted to be a director or officer of the Agency;
- the Nominee be fined \$10,000.00; and
- the Agency be assessed the costs of Council's investigation.

Council found the Nominee used or applied premiums for purposes other than as described in the agency agreements with insurers with whom the Agency was contracted and failed to remit to these insurers all premiums collected or received, less any authorized commissions or deductions.



MALKIAT SINGH ATHWAL
(“NOMINEE”)
SURREY, B.C.

(Level 3 General Insurance Nominee)

ISLAND INSURANCE AGENCY LTD.
(“AGENCY”)
SURREY, B.C.

(General Insurance Corporate Agent)

Council determined the Nominee and the Agency breached a condition of their licences and ordered:

- the Nominee be fined \$5,000.00; and
- the Agency be assessed half the costs of Council’s investigation.

Council found the Nominee and the Agency failed to ensure that a Level 1 general insurance salesperson employed at the Agency was directly and adequately supervised by a general insurance agent. In particular, the Nominee and the Agency had an employment relationship with the Level 1 salesperson such that he was treated like an independent contractor. Misconduct by the salesperson, including improper execution of ICBC transactions and documentation, went undetected for an extended period of time.

BALJINDER SINGH TAKHAR
(“LICENSEE”)
SURREY, B.C.

(Level 1 General Insurance Salesperson)

Council determined the Licensee failed to act in a trustworthy manner, in good faith and in accordance with the usual practice of the business of insurance and ordered:

- the Licensee’s Level 1 general insurance salesperson’s licence be cancelled for a minimum period of one year;
- the Licensee be fined \$5,000.00; and
- the Licensee be assessed half the costs of Council’s investigation.

During a 26 month period, the Licensee abused his position as an insurance licensee by processing an excessive number of Autoplan transactions on his own and his wife’s vehicles for the purposes of saving on insurance premiums as well as to generate extra commissions. The Licensee also falsely executed insurance documents by signing on behalf of his wife without



proper authorization. In addition, the Licensee made a material misstatement to ICBC with respect to an insurance claim.

ALL-ROUND TRAVEL INC.

(“AGENCY”)

VANCOUVER, B.C.

(Restricted Travel Insurance Corporate Agent)

Council determined the Agency breached two conditions on its licence and ordered:

- the Agency be fined \$2,500.00 for breach of Rule 7(11) of Council Rules; and
- the Agency be fined \$1,000.00 for breach of Rule 7(8) of Council Rules.

The Agency failed to maintain or be covered by errors and omissions insurance, failed to notify Council within five business days that it was not insured for errors and omissions, and failed to stop conducting travel insurance activities in the absence of having errors and omissions insurance.

Council also found the Agency breached Rule 7(8) of Council Rules by not adhering to all regulatory requirements by allowing an employee, who failed to meet the continuing education requirements for a licence exemption, to sell travel insurance.

642314 B.C. LTD. DBA TRAVELPLUS CRANBROOK

(“AGENCY”)

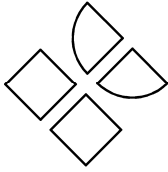
CRANBROOK, B.C.

(Restricted Travel Insurance Corporate Agent)

Council determined the Agency breached a condition on its licence and ordered:

- the Agency be fined \$1,000.00.

The Agency failed to maintain or be covered by errors and omissions insurance, failed to notify Council within five business days that it was not insured for errors and omissions, and failed to stop conducting travel insurance activities in the absence of having errors and omissions insurance.



**SELECT CRUISESHIPCENTERS LTD. DBA NORTH BURNABY CRUISESHIPCENTERS
("AGENCY")
BURNABY, B.C.**

(Restricted Travel Insurance Corporate Agent)

Council determined the Agency breached a condition on its licence and ordered:

- the Agency be fined \$1,000.00.

The Agency failed to maintain or be covered by errors and omissions insurance, failed to notify Council within five business days that it was not insured for errors and omissions, and failed to stop conducting travel insurance activities in the absence of having errors and omissions insurance.

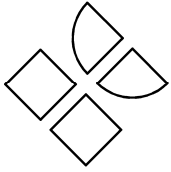
**MERCEDES CATABONA OLIVINA
("FORMER LICENSEE")
VANCOUVER, B.C.**

(Former Level 1 General Insurance Salesperson)

Council determined the Former Licensee failed to act in a trustworthy and competent manner, in good faith and in accordance with the usual practice of the business of insurance and ordered:

- the Former Licensee is not suitable to be licensed for a minimum period of two years, commencing June 5, 2007;
- the Former Licensee be fined \$10,000.00; and
- the Former Licensee be assessed the costs of Council's hearing.

The Former Licensee processed 30 credit card payments over a 35 day period for ICBC transactions without ensuring the credit cards were physically present and the signatures on the sales drafts matched the cardholders' signatures. All of the transactions were undertaken by one individual and his associates using fraudulent credit card numbers. The Former Licensee was also found to have allowed insurance documents to leave the agency office and to have knowingly processed falsely executed insurance documents. Council determined the Former Licensee was aware of, but chose to disregard, ICBC's requirements regarding credit card payments and the proper execution of insurance documents.

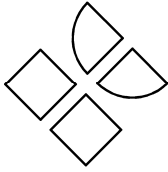


DAVID MICHAEL MICHAELS
(“LICENSEE”)
VICTORIA, B.C.
(Life Insurance Nominee)

Council determined the Licensee’s actions as a registered securities representative brought into question his ability to carry on the business of insurance in a competent manner. Council further found the Licensee had made a material misstatement to Council on his application for the renewal of his insurance licence and ordered the Licensee:

- have the following conditions placed on his insurance licence:
 - the Licensee must appoint a life insurance agent with a minimum of five years’ experience, subject to approval by Council, to supervise and be accountable for his insurance activities for a minimum period of two years from the date Council’s order takes effect. The supervising life insurance agent will have a condition placed on his/her insurance licence making him/her accountable for the Licensee’s insurance business conduct; and
 - the Licensee must notify the insurance companies he is currently contracted with, and any other insurance company he intends to contract with in the future, of the circumstances surrounding this matter.
- be fined \$200.00; and
- be assessed the costs of Council’s investigation.

This matter arose from findings made by an Investment Dealers Association of Canada (“IDA”) Hearing Panel that the Licensee acted contrary to IDA By-law 29.1 by engaging in conduct unbecoming and detrimental to the public interest and contrary to the British Columbia *Securities Act*.



MANVIR SINGH SANDHU
("APPLICANT")
SURREY, B.C.

(Life Insurance Agent Applicant)

Council determined, after a review of the Applicant's other employment, the potential for a conflict of interest was so significant that it would not be in the best interest of the public to grant a life insurance agent's licence and ordered:

- the Applicant's application for a life insurance agent's licence be denied.

On his application, the Applicant disclosed he was also employed as an Immigration Consultant. His duties included soliciting and consulting clients seeking to immigrate/work in Canada and providing pro-bono services for the financially challenged (e.g. refugees).

Council found the Applicant's intention to actively pursue insurance business from his immigration clients would put him in a position of trust where the opportunity to exert undue influence would exist. Council determined this influence and the authority he could have over his clients created the potential for a significant conflict of interest, whether intended or otherwise.

GORDON GERARD GARRITY
("FORMER LICENSEE")
SURREY, B.C.

(Former Level 2 General Insurance Agent)

On December 10, 2007, the Former Licensee pled guilty to one count of fraud and received an 18 month conditional jail sentence.

Between January 2001 and May 2004, the Former Licensee sold home warranty insurance policies which had not been authorized by the purported underwriter.