

In the Matter of the

FINANCIAL INSTITUTIONS ACT, RSBC 1996, c.141
(the “Act”)

and the

INSURANCE COUNCIL OF BRITISH COLUMBIA
 (“Council”)

and

GHOUSIA IRAM
(the “Licensee”)

ORDER

As Council made an intended decision on April 29, 2025, pursuant to sections 231, 236, and 241.1 of the Act; and

As Council, in accordance with section 237 of the Act, provided the Licensee with written reasons and notice of the intended decision dated June 3, 2025; and

As the Licensee has not requested a hearing of Council’s intended decision within the time period provided by the Act;

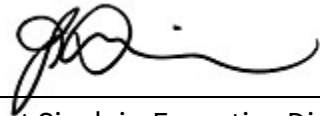
Under authority of sections 231, 236, and 241.1 of the Act, Council orders that:

- 1) The Licensee is fined \$2,000, to be paid by January 5, 2026;
- 2) The Licensee is required to complete the following courses, or equivalent courses as acceptable to Council, by October 6, 2025;
 - a. the Council Rules Course for life and/or accident & sickness insurance agents;
and
 - b. the Continuing Education Requirements and Guidelines Course;
(collectively, the “Courses”)
- 3) That the Licensee be required to be supervised by a qualified life and accident and sickness insurance agent, as approved by Council, for an additional six-month period

following the completion of the Licensee's new life agent supervision period;

- 4) The Licensee is assessed Council's investigations costs of \$750, to be paid by January 5, 2026; and
- 5) A condition is imposed on the Licensee's life and accident and sickness insurance agent licence that failure to pay the fine and investigation costs, complete the Courses, and to obtain a supervisor, as required, within their deadlines will result in the automatic suspension of the Licensee's licence and the Licensee will not be permitted to complete the Licensee's 2027 annual licence renewal until such time as the Licensee has complied with the conditions listed herein.

This order takes effect on the **7th day of July, 2025**



Janet Sinclair, Executive Director
Insurance Council of British Columbia

INTENDED DECISION

of the

INSURANCE COUNCIL OF BRITISH COLUMBIA (“Council”)

Respecting

GHOUSIA IRAM
(the “Licensee”)

1. Pursuant to section 232 of the *Financial Institutions Act* (the “Act”), Council conducted an investigation to determine whether the Licensee acted in compliance with the requirements of the Act, Council Rules and Code of Conduct regarding allegations that the Licensee failed to maintain required errors and omissions (“E&O”) insurance coverage between February 8, 2023, and July 31, 2023, a period of 173 days (the “Lapse Period”), and failed to meet continuing education (“CE”) requirements for the 2022/2023 licence period.
2. On February 25, 2025, as part of Council’s investigation, a Review Committee (the “Committee”) comprised of Council members met via video conference to discuss the Investigation Report. The Investigation Report was distributed to the Committee and the Licensee prior to the meeting, and the Licensee was given an opportunity to make submissions and provide further information. The Licensee attended the meeting. Having reviewed the investigation materials and after discussing the matter, the Committee prepared a report for Council.
3. Council reviewed the Committee’s report and the investigation report at its April 29, 2025, meeting, where it was determined that the matter should be disposed of in the manner set out below.

PROCESS

4. Pursuant to section 237 of the Act, Council must provide written notice to the Licensee of the action it intends to take under sections 231, 236 and 241.1 of the Act before taking any such action. The Licensee may then accept Council’s decision or request a formal hearing. This

intended decision operates as written notice of the action Council intends to take against the Licensee.

FACTS

5. The Licensee has been licensed with Council as a life and accident and sickness insurance agent (“Life Agent”) since July 26, 2022.
6. The Licensee held an authorization to represent (“ATR”) an agency (the “Agency”) between July 26, 2022, and November 29, 2022. The Licensee’s licence with Council became inactive on November 29, 2022, and was reactivated on February 7, 2023. The Licensee has had an unaffiliated ATR since February 8, 2023.
7. On July 27, 2023, Council initiated an audit of the Licensee’s E&O insurance coverage. During the audit, Council staff noted that the Licensee had been without E&O insurance coverage for the duration of the Lapse Period.
8. Additionally, Council staff noted that the Licensee was short 15 CE credits for the 2022/2023 licence period. On May 31, 2024, the Licensee provided additional certificates demonstrating that she had completed 15.5 CE credits between March 2024 and May 2024. Although this satisfied the shortage, she had completed the credits outside the required time frame.
9. The Licensee explained that the lapse in her E&O insurance coverage was due to challenging personal circumstances that required her to travel outside the country, and that, due to being new in the industry at the time, she was not aware that she had to maintain E&O coverage if she was not working. The Licensee did not conduct any insurance activities during the Lapse Period and she purchased E&O insurance coverage starting August 1, 2023.
10. The Licensee also addressed her CE credit shortage for the 2022/2023 licence period, explaining that she was aware of the CE requirements but was not able to complete them in time due to her personal responsibilities.
11. At the Review Committee meeting, the Committee asked the Licensee whether she recalled declaring that she met the E&O and CE requirements on her annual licence renewal in 2023, to which the Licensee responded that she did not remember.

ANALYSIS

12. Council found that the Licensee failed to maintain required E&O insurance coverage for the duration of the Lapse Period and failed to notify Council within five business days of a lapse, in breach of Council Rule 7(11) and Code of Conduct section 5 (“Competence”) and section 13 (“Compliance with Governing Legislation and Council Rules”).
13. Council found that the Licensee failed to obtain the required CE credits for the 2022/2023 licence period, in breach of Council Rule 7(5) and Code of Conduct section 5 (“Competence”) and section 13 (“Compliance with Governing Legislation and Council Rules”).
14. Council also found that the Licensee failed to respond promptly to Council’s inquiries on multiple occasions, in breach of Code of Conduct section 12 (“Dealing with the Insurance Council of British Columbia”), and, given the above findings, a breach of Council Rule 7(8), which requires licensees to comply with Council’s Code of Conduct.

PRECEDENTS

15. Before making its intended decision, Council took into consideration several past decisions regarding E&O lapses and CE breaches. While Council is not bound by precedent and each matter is decided on its own facts and merits, Council found that the following decisions were instructive in terms of providing a range of sanctions for similar types of misconduct.
16. [*Maria Rhodora Banada Thomas*](#) (October 2018): A life agent licensee failed to renew her E&O coverage between July 1, 2017, and February 4, 2018 (a lapse period of 218 days), while holding an active licence. The licensee advised that her failure to renew her E&O insurance was in error and partially due to personal circumstances. Council accepted that the licensee’s failure to maintain E&O coverage was unintentional and that she did not conduct any insurance activities during the lapse period, but noted that she was nevertheless responsible to fulfil E&O requirements and failed to do so. The licensee was fined \$1,000 for the breach.
17. [*Gina Digao Bool*](#) (April 2024): A life agent licensee failed to obtain required CE credits for three consecutive licence periods. She also failed to maintain E&O coverage between January 11, 2021, and October 6, 2021 (a lapse period of 268 days), and did not conduct any insurance activities during the lapse period. The licensee was fined \$4,000, representing \$1,000 for each licence period in which she failed to obtain the required CE credits, and an additional \$1,000

for failing to maintain E&O coverage. Additionally, the licensee was assessed investigation costs and ordered to complete the Council Rules Course and make up her missing CE credits.

18. [Jian Feng He](#) (August 2023): A former licensee's licence was terminated for non-renewal. While licensed with Council, the former licensee's E&O had lapsed twice, for periods of approximately one month and eight months, respectively. The former licensee had not written any insurance policies during the E&O lapse periods. The former licensee was fined \$2,000 for failing to maintain E&O coverage, was required to complete the Council Rules Course before being licensed in the future and was assessed investigation costs.
19. [Ma-Isabel Perez Javillo](#) (October 2014): A life agent licensee's E&O insurance expired in June 2013. She received notice of the expiration but subsequently submitted her annual renewal to Council, confirming that she was in compliance with all of the Council Rules. The licensee continued to engage in insurance activities even though she did not have E&O insurance. Although Council was sympathetic to the licensee's personal circumstances, they were not considered mitigating factors, and Council emphasized that the licensee's actions had the potential to put the public at risk. Council found that a substantial fine is appropriate in cases where a licensee intentionally operates without E&O insurance. As such, the licensee was fined \$2,800 for her failure to maintain E&O coverage, and an additional \$500 for making a material misstatement in her annual renewal.
20. Council recognizes, having reviewed the precedents, that the approach it has adopted for disciplining licensees who have breached Council Rules pertaining to CE requirements is to assess a "baseline" fine of \$1,000 for each breach and to require the licensee to complete the Council Rules Course. For E&O insurance breaches, Council's general approach has been to apply a fine of \$1,000 for each year, or partial year, in which a licensee fails to maintain E&O coverage.
21. Council considered the [Ma-Isabel Perez Javillo](#) decision in particular, with respect to the additional \$500 fine imposed for making a material misstatement in an annual renewal. Council was concerned about the Licensee's statement that she did not remember making declarations as to her compliance with the CE and E&O requirements for her 2023 licence renewal but noted that the licensee in [Javillo](#) continued to operate without E&O coverage, which was distinguishable from the present case.

MITIGATING AND AGGRAVATING FACTORS

22. Council found the Licensee's efforts to complete her outstanding CE requirements and maintain E&O coverage since the Lapse Period to be a mitigating factor. Council also found that the Licensee's experience in the industry, as someone new to the industry when the breaches occurred, was a mitigating factor.
23. Council found the Licensee declaring that she fulfilled her CE and E&O requirements for her 2023 licence renewal to be a material misstatement and an aggravating factor.

CONCLUSIONS

24. After weighing all the relevant considerations, Council concluded that the Licensee should be fined \$2,000, be required to complete courses, and have her new life agent supervision period be extended for an additional six-month period.
25. Council acknowledges and accepts that the Licensee faced challenging personal circumstances that contributed to the CE shortfall and Lapse Period. Nevertheless, Council recognizes that all licensees have an obligation to uphold all of the professional requirements of Council, and that it is not fair to the public to hold the Licensee to a lower standard because of her personal circumstances.
26. Council has determined that investigation costs should be assessed against the Licensee. As a self-funded regulatory body, the cost to investigate the misconduct of a licensee should not be borne by members of the insurance industry unaffiliated with the investigation. This is particularly true when the evidence is clear that the actions of a licensee have amounted to misconduct.
27. In acknowledging the Licensee's personal circumstances, Council intends to impose a 180-day deadline for payment of the fine and investigation costs, rather than the 90-day deadline that is applied in most of Council's disciplinary decisions.

INTENDED DECISION

28. Pursuant to sections 231, 236 and 241.1 of the Act, Council made the following intended decision:

- a. That the Licensee be fined \$2,000, to be paid within 180 days of Council's order;
 - b. That the Licensee be required to complete the following courses, or equivalent courses as acceptable to Council, within 90 days of Council's order;
 - i. the Council Rules Course for life and/or accident & sickness insurance agents;
 - ii. the Continuing Education Requirements and Guidelines Course;
(collectively, the "Courses")
 - c. That the Licensee be required to be supervised by a qualified life and accident and sickness insurance agent, as approved by Council, for an additional six-month period following the completion of the Licensee's new life agent supervision period;
 - d. That the Licensee be assessed Council's investigations costs of \$750, to be paid within 180 days of Council's order; and
 - e. That a condition be imposed on the Licensee's life and accident and sickness insurance agent licence that failure to pay the fine and investigation costs, complete the Courses, and to obtain a supervisor, as required, within their deadlines will result in the automatic suspension of the Licensee's licence and the Licensee will not be permitted to complete the Licensee's 2027 annual licence renewal until such time as the Licensee has complied with the conditions listed herein.
29. Subject to the Licensee's right to request a hearing before Council pursuant to section 237 of the Act, the intended decision will take effect after the expiry of the hearing period.

ADDITIONAL INFORMATION REGARDING FINES/COSTS

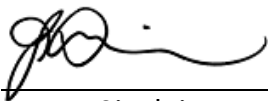
30. Council may take action or seek legal remedies against the Licensee to collect outstanding fines and/or costs, should these not be paid by the 180-day deadline.

RIGHT TO A HEARING

31. If the Licensee wishes to dispute Council's findings or its intended decision, the Licensee may have legal representation and present a case in a hearing before Council. Pursuant to section 237(3) of the Act, to require Council to hold a hearing, the Licensee **must give notice to Council by delivering to its office written notice of this intention within fourteen (14) days of receiving this intended decision.** A hearing will then be scheduled for a date within a reasonable period of time from receipt of the notice. Please direct written notice to the attention of the Executive Director. **If the Licensee does not request a hearing within 14 days of receiving this intended decision, the intended decision of Council will take effect.**
32. Even if this decision is accepted by the Licensee, pursuant to section 242(3) of the Act, the British Columbia Financial Services Authority ("BCFSA") still has a right of appeal to the Financial Services Tribunal ("FST"). The BCFSA has thirty (30) days to file a Notice of Appeal once Council's decision takes effect. For more information respecting appeals to the FST, please visit their website at <https://www.bcfst.ca/> or visit the guide to appeals published on their website at <https://www.bcfst.ca/app/uploads/sites/832/2021/06/guidelines.pdf>.

Dated in Vancouver, British Columbia on the **3rd day of June, 2025.**

For the Insurance Council of British Columbia



Janet Sinclair
Executive Director