

In the Matter of

The *FINANCIAL INSTITUTIONS ACT*
(RSBC 1996, c.141)
(the "Act")

and

The INSURANCE COUNCIL OF BRITISH COLUMBIA
("Council")

and

PATIE KAUR JOHL
(the "Licensee")

DECISION AND ORDER
UNDER SECTIONS 231 & 238 OF THE ACT

WHEREAS the Licensee holds an active life and accident and sickness insurance licence;

AND WHEREAS the Licensee is the subject of a Council intended decision dated May 5, 2015, which involves concerns with the Licensee's suitability to hold an insurance licence, and, in particular, pertains to allegations that the Licensee:

- Misled a client regarding the premium payment terms of the client's insurance policy;
- Misled an insurer regarding the identity of the payor of insurance premiums and failed to be forthright with Council regarding the matter;
- Demonstrated that she lacks sufficient expertise, training, or experience to carry on insurance business without supervision or additional training; and
- Failed to properly maintain client records, including the confidentiality of such records;

AND WHEREAS the Licensee requested a hearing of Council's intended decision;

AND WHEREAS a hearing of the intended decision scheduled for January 2016 was adjourned at the request of the Licensee;

AND WHEREAS to address Council's concerns with the length of time it is taking for the hearing to proceed, the Licensee was asked to inform her insurers and managing general agents, with whom she engages in insurance business, of the issues raised in Council's intended decision;

AND WHEREAS the Licensee informed Council that she had made the required disclosure to her insurers and managing general agents, but subsequent inquiries by Council determined that the Licensee had failed to make any disclosure regarding Council's intended decision when she contacted her insurers and managing general agents;

AND WHEREAS given the serious nature of the allegations against the Licensee, the delays in holding the hearing, and the Licensee's misstatement to Council that she has disclosed the nature of Council's intended decision to insurers and managing general agents with whom she engages in insurance business, Council has determined it is not in the public's interest to allow the Licensee to continue to engage in insurance business without being supervised while the hearing is pending;

AND WHEREAS Council considers that the length of time required to hold a hearing, and reach a decision regarding the allegations contained in Council's intended decision would be detrimental to the due administration of the Act and contrary to the interests of the public;

NOW THEREFORE pursuant to sections 231 and 238 of the Act, Council orders that a condition be imposed on the Licensee's life and accident and sickness insurance licence, that within 30 calendar days of this order, the Licensee must be under the direct supervision of a qualified life and accident and sickness insurance agent, until such time as the Licensee's requested hearing is held, and Council has had the opportunity to consider the matter in accordance with section 223(4) of the Act. The Licensee's failure to demonstrate to Council that a qualified life and accident and sickness insurance agent has agreed to supervise her insurance activities within the 30-day timeline will result in the automatic suspension of the Licensee's life and accident and sickness insurance licence until she has complied with the licence condition.

TAKE NOTICE that pursuant to section 238 of the Act, the Licensee has the right to require a hearing on this order before Council by delivering written notice within 14 days of receipt of this order to Council at Suite 300, 1040 West Georgia Street, Vancouver, British Columbia, V6E 4H1; alternatively, the Licensee may appeal this order to the Financial Services Tribunal.

Dated in Vancouver, British Columbia, on the 16th day of February, 2016.



Brett Thibault
Chairperson, Insurance Council of British Columbia