

**In the Matter of**

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

**and**

**THE INSURANCE COUNCIL OF BRITISH COLUMBIA  
("Council")**

**and**

**EWEN RUTH FANG  
(the "Licensee")**

**DECISION AND ORDER  
UNDER SECTIONS 231 & 238 OF THE ACT**

WHEREAS the Licensee is a Level 1 general insurance salesperson with authority to represent Roswell Insurance Agency Inc. ("Roswell");

AND WHEREAS the Licensee is the sole owner, director and officer of Roswell;

AND WHEREAS Council commenced an investigation pursuant to section 232 of the Act, relating to allegations that: the Licensee attempted to bribe an employee of the Insurance Corporation of British Columbia ("ICBC") in an effort to obtain information maintained in the ICBC database; and the Licensee accessed ICBC's database in an unauthorized manner;

AND WHEREAS the Licensee met with an Investigative Review Committee of Council on April 20, 2009, to discuss an investigation report on the matter;

AND WHEREAS an investigation report on the matter was presented to Council on June 1, 2009, and based on the report, which had been provided to the Licensee, Council found that the Licensee had attempted to bribe an ICBC employee; she had also accessed ICBC's database in an unauthorized manner; and the Licensee had not acted in a trustworthy manner, in good faith and in accordance with the usual practice of the business of insurance;

AND WHEREAS Council notified the Licensee by way of an intended decision, dated June 16, 2009, that it intended to suspend her licence for one year, fine her an amount of \$2,500.00, and require that she take a course on ethics ("Intended Decision");

AND WHEREAS the Licensee requested a hearing on the matter;

**AND WHEREAS** following the issuance of the Intended Decision, Council received additional information relating to the allegations contained in the Intended Decision, which indicated the Licensee knowingly facilitated the illegitimate transfer of ownership and placement of insurance on a vehicle, to help the vehicle's true owner circumvent an outstanding ICBC debt and continue using her vehicle ("New Information");

**AND WHEREAS** a hearing was scheduled to commence on November 18, 2009, pursuant to the Licensee's request, to review the findings of the Intended Decision and the New Information;

**AND WHEREAS** the hearing was adjourned the day prior to its scheduled date, at the request of the Licensee, due to illness;

**AND WHEREAS** the additional concerns pertaining to the New Information were brought to the attention of Council on January 15, 2010, and Council found these concerns to be as or more serious than those related to the attempted bribery and unauthorized database access;

**AND WHEREAS** a hearing on all of the aforementioned matters has yet to be scheduled because the Licensee has obtained new legal counsel who requires time to prepare for the hearing;

**AND WHEREAS** Council determined the length of time that will transpire before these matters will be considered at a hearing would be detrimental to the due administration of the Act;

**AND WHEREAS** Council considers it to be in the public interest to have the Licensee's insurance activities strictly monitored pending disposition of these matters;

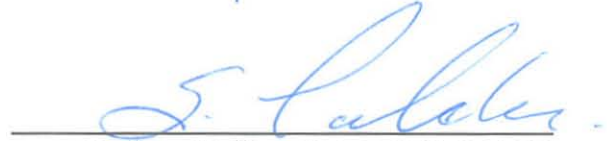
**NOW THEREFORE** Council orders that the following condition is imposed on the Licensee's Level 1 general insurance salesperson's licence effective **January 15, 2010**:

1. The Licensee is prohibited from engaging in insurance business as a Level 1 general insurance salesperson or from attending the office of Roswell Insurance Agency Inc. ("Roswell"), except when a nominee of Roswell is present and the Licensee's activities are supervised by the nominee.

**TAKE NOTICE** that pursuant to section 238 of the Act, the Licensee has the right to request 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 directly to the Financial Services Tribunal.

238 ORDER  
Ewen Ruth Fang  
File Number: 115061-I496  
Page 3 of 3

Dated in Vancouver, British Columbia, on the 15 day of JANUARY, 2010.



Graham Calder, CFP, CLU, ChFC, RHU  
Chairperson, Insurance Council of British Columbia