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No. G-06/97
- General

Prosecution and hearing decisions - second quarter of 1997

Prosecutions

There were two agent prosecutions during this period. The cases were disposed of as follows:

Charge:	**Furnishing False Information**
Against:	**Michael James Egan (Mississauga) formerly sponsored by The Imperial Life Assurance Company of Canada**
Verdict:	**Guilty**

On April 8, 1997, Michael Egan pleaded guilty in provincial court to two counts of furnishing false information to the Ontario Insurance Commission (OIC) in an application for a life insurance agent's licence. Mr. Egan failed to disclose an outstanding criminal charge and had failed to disclose that his previous employment as an insurance broker had been terminated for misappropriation of funds. He received fines of $400.00 and $1,400.00 with four months to pay. Mr. Egan's application for a licence has been withdrawn by his sponsoring insurer.

Charge:	**Furnishing False Information**
Against:	**Jeff P. Brittain (Brantford) Level II Agent**
Verdict:	**Guilty**

After a trial on April 8, 1997, Jeff P. Brittain was found guilty in provincial court of furnishing false information to the OIC in an application for the renewal of his life insurance agent's licence. Mr. Brittain failed to disclose a criminal conviction. He was fined $200.00.

Hearings

An Advisory Board assists the Superintendent of Insurance in determining the granting or refusal of a new licence or the possible revocation or suspension of an existing licence for insurance agents and adjusters. The board considers evidence presented by the applicant or agent as well as that put forward by counsel for the OIC.

During the second quarter of 1997, one Advisory Board hearing was reported upon.

Life agent:	**Yves Cyr (Cornwall) sponsored by Industrial-Alliance Life Insurance Company**
Advisory Board hearing:	**March 10, 1997; April 29, 1997**
Superintendent's decision:	**Licence revoked June 23, 1997**

A hearing was conducted over two days to consider the suspension or revocation of the agent's licence for conduct while working for his former sponsoring insurer. It was determined by the Advisory Board that the agent had committed serious acts of wrongdoing by depositing cheques made out to his policyholder clients into his own account and making use of those funds for his own purposes. The Superintendent followed the Advisory Board's recommendation and revoked Mr. Cyr's licence. Mr. Cyr has appealed that decision to the Commissioner of Insurance.

Correction

In OIC Bulletin No. G-4/97 - General, **Norman Riopelle** was reported to be sponsored by **The Canada Life Assurance Company**. Although Mr. Riopelle applied for a life insurance agent's licence with Canada Life as his sponsor, the licence was never issued. During Mr. Riopelle's unlicensed activity he was not sponsored by any insurer. The OIC regrets the error and any embarrassment caused to Canada Life.

Grant S. Swanson
Acting Superintendent of Insurance

August 26, 1997

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