



DISCIPLINARY DECISIONS

June 2006 – December 31, 2008

Please note this document provides information on disciplinary decisions from June 1, 2006. Disciplinary decisions prior to June 2006 can be accessed through the various bulletins.

A licensee who uses information in this bulletin to discredit another licensee or any other person will be guilty of misconduct.



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2008

Aon Reed Stenhouse Inc. and Murray G. Sali

Aon Reed Stenhouse Inc. (Aon) and Murray G. Sali (M. Sali) on October 14, 2008 entered into an Agreement and Undertaking (The Agreement) with the Complaints and Investigation Committee (The Committee) of the General Insurance Council of Saskatchewan (Council) whereby, Aon and M. Sali, the designated level 3 licensee, in Saskatchewan agreed that:

1. They would pay the costs Council incurred in respect of this matter in the amount of \$6,562;
2. M. Sali for a period of one year commencing October 15, 2008 through to and including October 15, 2009 be prohibited from acting as a designated level 3 licensee or a designated person for any of Aon's offices in Saskatchewan; and
3. M. Sali on or before March 31, 2009 attend and successfully complete an ethics course approved by Council and if he fails to do so his insurance salesperson licence will be suspended until he does successfully complete an ethics course approved by Council.
4. No further disciplinary or other action would be taken against Aon or M. Sali.

This resolution arose from an acknowledgement by Aon and M. Sali that:

1. An unlicensed employee of Aon had been allowed to engage in activities on behalf of Aon that required an all classes of insurance salesperson licence;
2. M. Sali was Aon's designated level 3 licensee and had overall management and supervision responsibilities for Aon's Saskatchewan offices;
3. M. Sali failed to exercise reasonable and prudent oversight of the employees activities after having received notice of the Council's unresolved concerns respecting the employees suitability to hold a license; and
4. The unlicensed solicitation and/or negotiation of insurance was a contravention of Section 418 of *The Saskatchewan Insurance Act*, and Council's Bylaw 8 Section 2 (g).

Da Silva, Richard Scott

Richard Scott Da Silva of Toronto ON representing ACE INA Life Insurance on July 16, 2008 entered into a Consensual Agreement and Undertaking (The Agreement) with the Complaints and Investigation Committee of the Life Insurance Council of Saskatchewan.

Da Silva, in the Agreement, acknowledged that he failed to maintain a valid policy of errors and omissions insurance and failed to immediately notify Council of the cancellation and/or non-renewal of his errors and omissions insurance policy.

Da Silva agreed to accept a 30 day suspension of his licence for the period August 1, 2008 to August 30, 2008.



Eppy, Bryan Edward

Bryan Edward Eppy (Eppy) of Balgonie SK representing The Great West Life Assurance Company on June 10, 2008 entered into a Consensual Agreement and Undertaking (The Agreement) with the Complaints and Investigation Committee of the Life Insurance Council of Saskatchewan.

Eppy, in the Agreement, acknowledged that he failed to maintain a valid policy of errors and omissions insurance and failed to immediately notify Council of the cancellation and/or non-renewal of his errors and omissions insurance policy.

Eppy agreed to accept a 30 day suspension of his licence for the period July 1, 2008 to July 30, 2008.

H. Douglas Homenick Insurance Agency Ltd. and Harry Douglas Homenick

H. Douglas Homenick Insurance Agency Ltd. and Harry Douglas Homenick of Winnipeg MB representing The Manufacturers Life Insurance Company on November 4, 2008 entered into a Consensual Agreement and Undertaking (The Agreement) with the Complaints and Investigation Committee of the Life Insurance Council of Saskatchewan.

H. Douglas Homenick Insurance Agency Ltd. and Harry Douglas Homenick, in the Agreement, acknowledged they failed to notify Council within 30 days of regulatory proceedings that were initiated against them by the Manitoba Insurance Council, and they failed to disclose in their annual licence report(s) to Council the regulatory proceedings or penalty imposed upon them by the Manitoba Insurance Council.

H. Douglas Homenick Insurance Agency Ltd. and Harry Douglas Homenick agreed to pay Council's investigation costs in the amount of \$300 and to pay a fine of \$250 for each failure to disclose the regulatory proceedings against them. The total fine to be paid was \$500.

McCrystal, Craig Stephen

Craig Stephen McCrystal of Regina SK representing The Equitable Life Insurance Company of Canada on April 21, 2008 entered into a Consensual Agreement and Undertaking (The Agreement) with the Complaints and Investigation Committee of the Life Insurance Council of Saskatchewan.

McCrystal, in the Agreement, acknowledged that he failed to maintain a valid policy of errors and omissions insurance and failed to immediately notify Council of the cancellation and/or non-renewal of his errors and omissions insurance policy.

McCrystal agreed to accept a 30 day suspension of his licence for the period April 21, 2008 to May 21, 2008.

McFadyen, Robert Bruce

Robert Bruce McFadyen (McFadyen) of Waseca SK representing McFadyen & Sons Agencies Ltd. on August 29, 2008 entered into an Agreement and Undertaking (The Agreement) with the Complaints and Investigation Committee of the General Insurance Council of Saskatchewan (Council) whereby McFadyen agreed that:

1. His All Classes of insurance licence would be cancelled for a period of 2 years; and
2. He would, if he sought to be licensed after the 2 year cancellation period, need to;



- a) Qualify for a level 1 licence by successfully completing one of the licensing requirements set out in the Council Bylaws;
- b) Attend and successfully complete an ethics course approved by Council; and
- c) Pay the costs of the investigation in the amount of \$400.

McFadyen in the Agreement acknowledged that he:

1. Altered inspection dates on two Breeding Soundness Evaluation forms (the forms) that were prepared by the insured's veterinarian;
2. The forms needed to be dated less than 30 days prior to the application for insurance. In one case the form was prepared on February 27, 2008 and was re dated to April 27, 2008. In the second case the form was prepared on March 31, 2008 and was re dated to June 20, 2008;
3. By submitting the fraudulently altered forms had there been a claim the insurance company could have denied the coverage; and
4. That he had acted alone and that neither McFadyen & Sons Agencies Ltd. nor any other person employed by the agency assisted him or was aware of his altering the forms.

McLean, Cheryl Ann

Cheryl Ann McLean of Regina SK representing American Income Life Insurance Company on April 29, 2008 entered into a Consensual Agreement and Undertaking (The Agreement) with the Complaints and Investigation Committee of the Life Insurance Council of Saskatchewan.

McLean, in the Agreement, acknowledged that she failed to maintain a valid policy of errors and omissions insurance and failed to immediately notify Council of the cancellation and/or non-renewal of her errors and omissions insurance policy.

McLean agreed to accept a 30 day suspension of her licence for the period April 30, 2008 to May 30, 2008.

Peyson, Kevin Richard Scott

Kevin Richard Scott Peyson of Regina SK representing RBC Life Insurance Company on November 19, 2008 entered into a Consensual Agreement and Undertaking (The Agreement) with the Complaints and Investigation Committee of the Life Insurance Council of Saskatchewan.

Peyson, in the Agreement, acknowledged that he failed to maintain a valid policy of errors and omissions insurance and failed to immediately notify Council of the cancellation and/or non-renewal of his errors and omissions insurance policy.

Peyson agreed to accept a fine in lieu of a licence suspension. The fine he paid was in the amount of \$1,200 and was based on \$200 for each week that he had failed to maintain his errors and omissions insurance.



Pyne, Robert Wayne

Robert Wayne Pyne of Regina SK representing AIG Life Insurance Company of Canada on August 27, 2008 entered into a Consensual Agreement and Undertaking (The Agreement) with the Complaints and Investigation Committee of the Life Insurance Council of Saskatchewan.

Pyne, in the Agreement, acknowledged that he on two separate occasions failed to maintain a valid policy of errors and omissions insurance and failed to immediately notify Council of the cancellation and/or non-renewal of his errors and omissions insurance policy.

Pyne agreed to accept a 2 month suspension of his licence for the period September 1, 2008 to November 1, 2008 and pay Council's investigation costs in the amount of \$400.



2007

Bosman, Gerhard

Gerhard Bosman of Calgary AB representing The Canada Life Insurance Company on August 13, 2007 entered into a consensual agreement in which he agreed to the cancellation of his Life and Accident & Sickness Licence.

In the consensual agreement he acknowledged that he had accepted a premium payment in the amount of \$7,000 from a client which he did not give to the insurance company. He used it for his own expenses. He then misled the client about the investment the client believed they had by providing false investment updates.

Mr. Bosman was as well charged with theft as result of Canada Life's investigation and on April 9, 2008 was convicted under Sections 332 (1) and 334 (a) of the criminal code. He was sentenced to 9 months imprisonment in the community.

Dolinski, Ted

Ted Dolinski of Regina SK representing Knight-Archer Insurance Ltd. on July 30, 2007 entered into a Consensual Agreement and Undertaking with the General Insurance Council, whereby he accepted a letter of warning for his failure to report within thirty days the commencement of a civil action against him. The nature of the allegations set out in the civil law suit were such that he was obligated to notify Council of the commencement of the civil action.

Douglas K. Clarke Insurance Broker Limited and Douglas Damon Clarke

Douglas K. Clarke Insurance Broker Limited of Markham ON representing Aviva Insurance Company of Canada and Douglas Damon Clarke on July 6, 2007 received a letter of warning for their failure to notify Council within thirty days of the commencement of the Registered Insurance Brokers of Ontario proceedings against them.

Heartland Agencies Ltd. and Darwin Alexander Brown

Darwin Alexander Brown and Heartland Agencies Ltd. of Yorkton SK representing the Co-operators General Insurance Company, pleaded guilty to failing to act with integrity in their dealings with two clients when they accepted premium payments in the amount of \$14,645 from the clients over a two year period. The insurance for which the premiums were paid was never placed with an insurance company. The All Classes insurance licenses of Darwin Alexander Brown and Heartland Agencies Ltd. that were suspended at the time of the guilty plea were cancelled on January 26, 2007 for a minimum period of ten years.



2006

Dyck, Jake

Jake Dyck of Saskatoon SK representing the Industrial-Alliance Pacific Life Insurance Company on March 14, 2006 entered into an Agreement (The Agreement) with the Life Insurance Council of Saskatchewan.

Dyck, in the Agreement, acknowledged that he failed to maintain a valid policy of errors and omissions insurance and failed to immediately notify Council of the cancellation and/or non-renewal of his errors and omissions insurance policy.

Dyck agreed to accept a 30 day suspension of his licence for the period August 1, 2006 to August 31, 2006, and to attend an approved loss prevention course.

Neuman, Stanley Harvey

Stanley Harvey Neuman of St. Albert AB representing The Equitable Life Insurance Company of Canada On October 21, 2006 entered into an Agreement (The Agreement) with the Life Insurance Council of Saskatchewan.

Neuman, in the Agreement, acknowledged that he failed to maintain a valid policy of errors and omissions insurance and failed to immediately notify Council of the cancellation and/or non-renewal of his errors and omissions insurance policy.

Neuman agreed to accept a 30 day suspension of his licence for the period December 11, 2006 to January 11, 2007.

Special Risk Insurance Brokers Ltd.

Special Risk Insurance Brokers Ltd. of White Rock BC representing Lloyds Underwriters, entered into a Consensual Agreement and Undertaking with the General Insurance Council, whereby the following conditions were placed on their licence:

1. For a minimum period of five years from June 24, 2006 they must appoint an arm's length designated licensee approved by the General Insurance Council.
2. For a minimum period of five years from June 24, 2006 neither Special Risk Insurance Brokers Ltd. nor any of its employees may take an application for or place any insurance with an insurer that is not authorized to engage in the insurance business in Canada.
3. They must notify Council immediately if the approved designate Level 3 licensee ceases to represent them and they must immediately submit for Council's approval an acceptable arm's length replacement designate licensee.