

In the Matter of the

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

and the

INSURANCE COUNCIL OF BRITISH COLUMBIA
 (“Council”)

and

EMELY CAJOTE GREZOLA
(the “Licensee”)

ORDER

As Council made an intended decision on July 30, 2024, pursuant to sections 231 and 236 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 August 14, 2024; 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 and 236 of the Act, Council orders that:

- 1) The Licensee’s accident and sickness insurance agent licence is suspended until such time as the Licensee has satisfactorily complied with Council’s requests for information pertaining to Council’s audit.

This order takes effect on the **11th day of September 2024.**



Janet Sinclair, Executive Director
Insurance Council of British Columbia

INTENDED DECISION

of the

INSURANCE COUNCIL OF BRITISH COLUMBIA

(“Council”)

respecting

EMELY CAJOTE GREZOLA

(the “Licensee”)

1. Council began a Life and/or Accident & Sickness Insurance Agent Practice Audit of the Licensee in March 2024. The purpose of the audit was to review the insurance practice of the Licensee and to confirm that various licensing requirements set out in the Council Rules were being met.
2. Between March 2024 and July 2024, Council staff made repeated efforts to contact the Licensee to obtain information necessary for the audit. Despite these requests for information, the Licensee did not respond to Council’s request for information.
3. The matter of the Licensee’s unresponsiveness to the audit was reviewed by Council at its July 30, 2024, meeting, where it was determined the matter should be disposed of in the manner set out below.

PROCESS

4. Pursuant to section 237 of the *Financial Institutions Act* (the “Act”), Council must provide written notice to the Licensee of the action it intends to take under sections 231 and 236 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 an accident and sickness insurance agent (“A&S Agent”) since October 7, 2019. The Licensee has held an Unaffiliated Authority to Represent since October 7, 2019.
6. The Licensee completed their annual licence renewal in May 2024.
7. On March 13, 2024, Council initiated a Life and/or Accident & Sickness Insurance Agent Practice Audit. The Licensee was asked to respond by April 17, 2024.
8. On April 3 and 11, 2024, Council staff made multiple attempts via email and telephone to remind the Licensee of the pending audit due date.

9. On April 17, 2024, the Licensee telephoned Council staff and requested that the due date deadline be extended. Council staff confirmed the extension of the audit due date to May 1, 2024.
10. On May 3, 2024, following the passing of the due date deadline extension of May 1, 2024, Council staff attempted to contact the Licensee by telephone and left a voicemail asking the Licensee to contact Council staff.
11. On May 6, 2024, Council staff followed up by telephone and spoke to the Licensee. The Licensee acknowledged the passing of the due date deadline and requested another extension, which staff granted, allowing for a final due date deadline of May 21, 2024.
12. On May 29, 2024, a final request letter was sent to the Licensee by email, registered mail and regular mail. The Licensee was instructed to respond by June 12, 2024. Tracking information confirms the delivery of the final request letter on June 10, 2024, with it signed for by an individual named "Emely Grezola".
13. On July 3, 2024, a letter was sent to notify the Licensee that, due to the failure to respond to the audit, Council staff intended to bring the matter to the attention of the voting Council members at the July 30, 2024, Council meeting. The letter invited the Licensee to submit the required information by July 10, 2024, and stated that the Licensee might be subject to disciplinary action by Council, which could include licence suspension or termination.
14. As of the date of this decision, the Licensee has not submitted to Council the required information pertaining to the audit. The contact information that Council staff has used in their attempts to communicate with the Licensee is the most current contact information that the Licensee has on file with Council.

ANALYSIS

15. Council has determined that it is appropriate to suspend the Licensee's A&S Agent licence until such time that the Licensee has satisfactorily provided the information requested for the audit.
16. Effective regulation relies in part on licensees being responsive to Council. The importance of responsiveness is emphasized by section 231(1)(d) of the Act, which states that a licensee having "refused or neglected to make a prompt reply to an inquiry addressed to the licensee under this Act" is grounds for Council to take disciplinary action. Additionally, section 12 of the Code of Conduct ("Dealing with the Insurance Council of British Columbia") requires licensees to "respond promptly and honestly to inquiries from Council."
17. When a licensee fails to respond to an audit, it hinders Council's ability to determine whether that person has been conducting insurance business in accordance with the Council Rules and other requirements. As such, it is in the public interest for Council to take action when licensees fail to communicate with Council staff during the audit process.

INTENDED DECISION

18. Pursuant to sections 231 and 236 of the Act, Council made an intended decision to:
- a. Suspend the Licensee's accident and sickness insurance agent licence, to be effective the date the order is issued, until such time as the Licensee has satisfactorily complied with Council's requests for information pertaining to Council's audit.
19. 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, unless the Licensee satisfactorily complies with the audit during the hearing period.

RIGHT TO A HEARING

20. 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.**
21. 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 **14th day of August 2024**.

For the Insurance Council of British Columbia



Janet Sinclair
Executive Director