

In the Matter of

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

and

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

and

**JASON ANDREW DAVENPORT
(the "Licensee")**

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

WHEREAS the Licensee is currently licensed as a life and accident and sickness insurance agent;

AND WHEREAS Council commenced an investigation pursuant to section 232 of the Act, relating to allegations that the Licensee remitted fraudulent life insurance applications to an insurer for the purpose of generating commissions. In particular, the Licensee appears to have remitted numerous applications to an insurer under the names of various individuals, some of whom appear to be closely associated with the Licensee; the applications indicated that premiums for the insurance would be paid through the Licensee's bank account or a person other than the supposed applicant for the insurance; the applications were not proceeded with as underwriting requirements were not fulfilled and there were insufficient funds in the aforementioned bank accounts to pay the premiums; and the Licensee appeared to have earned commissions upon remittance of the applications as opposed to earning the commissions once the insurance is placed;

AND WHEREAS Council has been unsuccessful in reaching the Licensee at his last known points of contact; in particular, his service and business addresses are no longer valid, it appears that he no longer resides at the residential address last reported to Council, and his last reported residential telephone number appears to be out of service;

AND WHEREAS Council Rule 7(4) requires that a licensee notify Council within 30 calendar days of a change in residential or business address and telephone numbers, and Council has reason to believe that the Licensee did not adhere to this rule, making him in breach of a licence condition;

AND WHEREAS the above allegations, if proven, would bring into question the Licensee's trustworthiness and competency, and ability to carry on the business of insurance in good faith and in accordance with the usual practice, and ultimately his suitability to hold an insurance licence;

AND WHEREAS the Licensee's aforementioned breach of a licence condition has frustrated Council's investigation of the Licensee's suitability, and Council believes there is an immediate risk to the public;

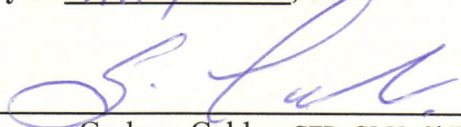
AND WHEREAS Council considers the length of time required to complete an investigation and make a decision pursuant to section 231 of the Act, would be detrimental to the due administration of the Act;

AND WHEREAS Council considers it to be in the public interest to suspend the Licensee's life and accident and sickness insurance agent's licence pursuant to section 231(1)(g) of the Act, pending the conclusion of its investigation;

NOW THEREFORE Council orders the Licensee's life and accident and sickness insurance agent's licence is suspended pursuant to sections 231 and 238 of the Act, effective the date of this order;

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 11 day of MAY, 2010.



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