

In the Matter of the

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

and the

INSURANCE COUNCIL OF BRITISH COLUMBIA
 (“Council”)

and

SATVIR KAUR PARMAR
(the “Licensee”)

ORDER

As Council made an intended decision on September 17, 2024, pursuant to sections 231, 236, and 241.1 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 November 7, 2024; and

As the Licensee has not requested a hearing of Council’s intended decision within the time period provided by the Act;

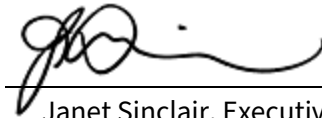
Under authority of sections 231, 236, and 241.1 of the Act, Council orders that:

- 1) The Licensee is fined \$3,500, to be paid by March 17, 2025;
- 2) The Licensee is required to complete the following courses by March 17, 2025:
 - i. The Council Rules Course for life and/or accident & sickness insurance; and
 - ii. The Continuing Education Requirements and Guidelines Course;(Collectively, the “Courses”)
- 3) The Licensee is assessed Council’s investigation costs of \$437.50, to be paid by March 17, 2025;
- 4) The Licensee is required to make up 10.5 continuing education credits outstanding from the 2019/2020, 2020/2021 and 2021/2022 licence periods prior to completing the Licensee’s 2026 annual licence renewal; and

Order
Satvir Kaur Parmar
COM-2022-00684 / LIC-2019-0013620-R01
December 16, 2024
Page 2 of 2

- 5) A condition is imposed on the Licensee's life and accident & sickness insurance agent licence that failure to complete the Courses, complete the outstanding continuing education, and pay the fine and investigation costs by their deadlines will result in the automatic suspension of that licence and that the Licensee will not be permitted to complete her 2026 annual licence renewal until such time as the Licensee has complied with the conditions listed herein.

This order takes effect on the **16th day of December, 2024.**



Janet Sinclair, Executive Director
Insurance Council of British Columbia

INTENDED DECISION

of the

INSURANCE COUNCIL OF BRITISH COLUMBIA

(“Council”)

respecting

SATVIR KAUR PARMAR

(the “Licensee”)

1. Pursuant to section 232 of the *Financial Institutions Act* (the “Act”), Council conducted an investigation to determine whether the Licensee had acted in compliance with the requirements of the Act, Council Rules, and Code of Conduct.
2. An investigation report prepared by Council staff (the “Investigation Report”) indicated that the Licensee failed to complete required continuing education (“CE”) during the 2019/2020, 2020/2021 and 2021/2022 licence periods (the “Licence Periods”) and made false declarations on her annual renewal application regarding the completion of her CE requirements.
3. On June 26, 2024, as part of Council’s investigation, a Review Committee (the “Committee”) comprised of Council members met with the Licensee via video conference to discuss the investigation report and give the Licensee an opportunity to provide submissions to the Committee. The Investigation Report was distributed to the Committee and the Licensee before the meeting.
4. Having reviewed the investigation materials and the Licensee’s submissions, the Committee prepared a report for Council. The Committee’s report, along with the Investigation Report, were reviewed by Council at its September 17, 2024, meeting, where it was determined the matter should be disposed of in the manner set out below.

PROCESS

5. Pursuant to section 237 of the Act, Council must provide written notice to the Licensee of the action it intends to take under sections 231, 236 and 241.1 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

6. The Licensee was first licensed with Council as a Life and Accident & Sickness agent (“Life Agent”) on August 1, 2019, and has held authority to represent an agency since July 2, 2020.

7. The Licensee left the Code of Conduct, Rules, BC Resident, Continuing Education (“CE”), and Errors and Omissions (“E&O”) declarations unchecked on her 2022 annual renewal declaration. An audit was subsequently initiated by Council staff.
8. In connection with Council’s audit, the Licensee was asked to complete an audit form, provide CE records for each of the Licence Periods, and submit proof of valid E&O insurance coverage. The Licensee was given until November 17, 2022, to provide the requested documents.
9. On November 17, 2022, the Licensee contacted Council staff to request additional time to gather her CE certificates and to reply to the audit. Council staff granted the Licensee an extension to December 9, 2022.
10. On December 8, 2022, the Licensee provided completed audit forms and a copy of her current E&O insurance policy, but she did not provide CE course completion certificates. Council staff requested the Licensee to resubmit the audit forms and attach the requested CE records. The Licensee was given until January 11, 2023, to do so.
11. On January 10, 2023, the Licensee resubmitted her audit forms. The Licensee submitted in her signed audit form that she “completed the CE credits every year but [was] unable to keep the record of them.”
12. The Licensee attached some CE credit certificates; however, she could not demonstrate that she had completed the 15 CE credits required in each of the Licence Periods. Further, many of the CE credits provided by the Licensee were duplicates.
13. Excluding duplicate records, the Licensee provided various CE certificates, demonstrating that although she had partially completed the requirements, she had a total shortage of 27.5 CE credits:
 - 2019/2020 – completed 7.5 out of 15 required CE credits
 - 2020/2021 – completed 3 out of 15 required CE credits
 - 2021/2022 – completed 7 out of 15 required CE credits
14. Between January 4 and 6, 2023, the Licensee completed an additional 17 CE credits, leaving a remaining shortage of 10.5 CE credits prior to the Committee meeting.
15. In her remarks to the Committee, the Licensee maintained that she had completed all of her required CE credits, but was unable to locate the certificates.
16. The Licensee did not provide details of any processes she has instituted to track her CE and ensure that a future breach will not occur.

17. The Licensee was given until July 24, 2024, to contact the CE course providers and to locate any CE certificates she felt were missing.
18. On July 23, 2024, Council's case manager contacted the Licensee to enquire about any missing CE credits. The Licensee responded the same day, stating she was unable to locate any additional CE certificates, and that she had attempted to call her course providers, but no one had responded.
19. As of Council's September 17, 2024, meeting, the Licensee still had 10.5 CE credits outstanding from the Licence Periods.

ANALYSIS

20. Council found that the Licensee had failed to obtain the required CE credits for the 2019/2020, 2020/2021 and 2021/2022 Licence Periods in breach of Council Rule 7(5), which requires licensees to meet the requirements of Council's CE program. Council Rule 7(8), which requires licensees to comply with the Code of Conduct, was also relevant to this matter, because Council determined that the Licensee's CE failures amounted to breaches of Code of Conduct section 5 ("Competence") and section 13 ("Compliance with Governing Legislation and Council Rules"). Council also found that Code of Conduct section 12 ("Dealing with the Insurance Council of British Columbia") had been breached by the Licensee failing to reply promptly and honestly to inquiries from Council, including a false report on her audit form about having completed all required CE.
21. Prior to making its recommendation, the Committee took several past decisions of Council regarding insufficient CE into consideration as precedents. The following precedent summaries represent some of the most instructive of those past decisions.

PRECEDENTS

22. [*Jian Hua \(Robert\) Que*](#) (May 2024): concerned a licensee with both Life Agent and Level 2 general insurance agent licenses who failed to obtain sufficient CE credits in five consecutive licence periods. Council initially determined the licensee had failed to obtain CE for three consecutive licence periods; however, the licensee further disclosed another two licence periods in which he had failed to obtain required CE. The Licensee made up the remaining CE shortfall by the time a Review Committee meeting was held. Council considered that the licensee's efforts to make up the CE shortfall, combined with his self-disclosure of additional CE shortages, were significantly mitigating factors. Council fined the licensee \$1,500, representing \$500 for each of the three licence periods initially audited, and opted not to apply a fine for the remaining two licence periods on account of the licensee's self-disclosure. Additionally, Council ordered the licensee to complete the Council Rules Course and the Continuing Education Guidelines and Requirements Course, and assessed investigation costs.

23. [Gina Digao Bool](#) (April 2024): concerned a licensee who failed to obtain required CE for three consecutive licence periods and failed to maintain E&O insurance coverage. The licensee was fined \$4,000, representing \$1,000 for each licence period she failed to obtain required CE, and an additional \$1,000 for failing to maintain E&O. Additionally, the licensee was ordered to complete the Council Rules Course and assessed investigation costs.
24. [Ramdyal Singh Sandhu](#) (February 2024): concerned a licensee who failed to obtain required CE for two licence periods. The licensee notified Council that he appeared to be in breach of his CE obligations, and subsequent to Council's investigation, the licensee obtained additional CE credits, both of which the Council considered mitigating factors. Council ordered the licensee to pay \$2,000, complete the Council Rules Course and pay investigation costs.
25. [Keley Low](#) (February 2024): concerned a former licensee who, while licensed, failed to maintain required CE for three consecutive licence periods. Subsequent to Council's investigation, the former licensee made up some of the deficit CE credits. The former licensee was fined \$3,000, representing \$1,000 for each licence period in which she failed to obtain the required CE credits, required to complete the Council Rules Course prior to being licensed again in the future, and assessed investigation costs.
26. [Ma-Isabel Perez Javillo](#) (October 2014): concerned a licensee whose E&O insurance expired in June 2013. She received notice of the expiration but subsequently submitted her annual filing to Council, confirming that she was in compliance with all of the Council Rules. The licensee was fined \$2,800 for her failure to maintain E&O coverage, and an additional \$500 for making a material misstatement in her annual filing.
27. Council recognized, having reviewed the precedents, that the approach Council has adopted for disciplining licensees who have breached Council Rules pertaining to CE requirements is to assess a "baseline" fine of \$1,000 for each breach, as well as require the licensee to complete the Council Rules Course. In some cases, mitigating factors are identified that support lowering the fine.
28. Council did not consider there to be any mitigating factors.
29. Council found several aggravating factors. In particular, Council noted that having first been licensed in 2019, the Licensee was in breach of her CE obligations for the entire duration of her licensure. Council further considered that the Licensee's failure to put in place any system to avoid a similar breach in the future demonstrated a lax attitude towards her obligations as a licensee.
30. On balance, Council did not find the aggravating factors warranted a departure from the baseline established by precedent.

CONCLUSIONS

31. Council considered a fine of \$3,500 to be appropriate, representing \$1,000 for failing to complete required CE for each of the 2019/2020, 2020/2021 and 2021/2022 Licence Periods and \$500 for making misstatements to Council on her audit declaration.
32. Council also determined that the Licensee would benefit from further education, and in that respect intends to require her to complete the Council Rules Course for life and/or accident & sickness insurance, in addition to Council's CE Guidelines Course.
33. With respect to investigation costs, Council believes investigation costs should be assessed to the Licensee. As a self-funded regulatory body, Council looks to licensees who have engaged in misconduct to bear the costs of their discipline proceedings so that those costs are not otherwise borne by British Columbia's licensees in general. Council has not identified any reason for not applying this principle in the circumstances.

INTENDED DECISION

34. Pursuant to sections 231, 236 and 241.1 of the Act, Council made the following intended decision:
 - a) That the Licensee be fined \$3,500, to be paid within 90 days of Council's order;
 - b) That the Licensee be required to complete the Council Rules Course for life and/or accident & sickness insurance and the Continuing Education Requirements and Guidelines Course (collectively, the "Courses") within 90 days of Council's order;
 - c) That the Licensee be assessed Council's investigation costs of \$437.50, to be paid within 90 days of Council's order;
 - d) That the Licensee make up 10.5 continuing education credits outstanding from the 2019/2020, 2020/2021 and 2021/2022 licence periods prior to completing the Licensee's 2026 annual licence renewal; and
 - e) That a condition be imposed on the Licensee's life and accident & sickness insurance agent licence that failure to complete the Courses, complete the outstanding continuing education, and pay the fine and investigation costs by their deadlines will result in the automatic suspension of that licence and that the Licensee will not be permitted to complete her 2026 annual licence renewal until such time as the Licensee has complied with the conditions listed herein.
35. 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.

ADDITIONAL INFORMATION REGARDING FINES/COSTS

36. Council may take action or seek legal remedies against the Licensee to collect outstanding fines and/or costs, should these not be paid by the 90-day deadline.

RIGHT TO A HEARING

37. 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 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.**
38. Even if the Licensee accepts this decision, 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 30 days to file a Notice of Appeal once Council's decision takes effect. For more information regarding appeals, please visit the FST website at [Welcome to the Financial Services Tribunal - BC Financial Services Tribunal \(bcfst.ca\)](https://www.bcfst.ca) or view their appeals guide at [guidelines.pdf \(bcfst.ca\)](https://www.bcfst.ca/guidelines.pdf).

Dated in Vancouver, British Columbia on the **7th day of November, 2024.**

For the Insurance Council of British Columbia



Janet Sinclair
Executive Director