
IN THE MATTER OF the *Insurance Act*, R.S.O. 1990, c.l.8, as amended (the “Act”), in particular sections 392.4, 392.5 and 407.1;

AND IN THE MATTER OF Saadia Ali.

MINUTES OF SETTLEMENT AND UNDERTAKING

PART I – INTRODUCTION

1. Saadia Ali (“Ms. Ali”) has been licensed as a life insurance and accident sickness agent since July 4, 2007, pursuant to the Act (licence # 07097633). Her licence will expire on August 12, 2023.
2. On June 3, 2022, the Director, Litigation and Enforcement (“the Director”), by delegated authority from the Chief Executive Officer (“CEO”) of the Financial Services Regulatory Authority of Ontario (“FSRA”), issued a Notice of Proposal (“the NOP”) proposing to revoke Ms. Ali’s life insurance agent licence.
3. Ms. Ali disputed the allegations and, on June 20, 2022, requested a hearing before the Financial Services Tribunal (“the Tribunal”) in respect of the NOP.
4. Ms. Ali and the Director, by delegated authority from the CEO, (collectively the “Parties”) wish to resolve this matter on consent and without a hearing before the Tribunal.

PART II – AGREED FACTS

5. Ms. Ali was terminated in early 2018 by London Life. Ms. Ali failed to disclose this termination on her subsequent licencing application.
6. On April 16, 2018, London Life submitted a Life Agent Reporting Form (“LARF”) regarding Ms. Ali, alleging professional misconduct in selling life insurance policies and segregated funds. FSRA investigated the allegations contained in the LARF.
7. For seven former clients, Ms. Ali: (i) sold and/or transferred insurance policies that were unsuitable for those clients, (ii) obtained the benefit of deferred service charge (“DSC”) or other fees which was disproportionate to the benefit received by her former clients, and (iii) failed to adequately explain certain tax implications, policy transfers, and DSCs to these clients.

8. Additionally, Ms. Ali signed applications and other documents as the advisor or agent for clients who she had not advised or engaged with, but who were advised by her then spouse, Amin Mohammed Ali, another licensed life insurance agent, ("Mr. Ali"). As Mr. Ali engaged in the insurance business activity, Ms. Ali's representations were false.
9. FSRA interviewed several former clients of Ms. Ali and the life insurance agent who took over her clients after her termination by London Life. The information obtained from these clients demonstrates that Ms. Ali is not suitable to be licenced by FSRA.

PART III – NON-COMPLIANCE WITH STATUTORY PROVISIONS

10. By engaging in the conduct described above in Part II, Ms. Ali admits and acknowledges that she breached the Act as follows. Ms. Ali:
 - i. Made a false or misleading statement as to the terms, benefits or advantages of a contract or policy of insurance issued or to be issued, contrary to section 1(5) of Ontario Regulation 7/00;
 - ii. Provided an incomplete comparison of a policy or contract of insurance with that of any other insurer for the purpose of inducing or intending to induce an insured to lapse, forfeit or surrender a policy or contract contrary to section 1(6) of Ontario Regulation 7/00;
 - iii. Made a false or misleading statement or representation in the solicitation or registration of insurance contrary to section 17(c) of Ontario Regulation 347/04; and
 - iv. Made or delivered an incomplete comparison of a policy or contract of insurance with that of another insurer in the solicitation or registration of insurance contrary to section 17(d) of Ontario Regulation 347/04.
11. In view of the above, Ms. Ali agrees and consents to the Terms of Settlement denoted in Part IV of these Minutes.

PART IV – TERMS OF SETTLEMENT

12. Ms. Ali admits the facts contained in Part II of these Minutes.
13. Ms. Ali acknowledges and agrees that she has been given the opportunity to seek independent legal advice, and is entering into these Minutes voluntarily, understanding the consequences of doing so.

14. Ms. Ali acknowledges that these Minutes are an undertaking within the meaning of the Act, that these Minutes are binding on her, and that a failure to comply may result in immediate regulatory action including, but not limited to, the issuance of a Notice of Proposal to impose an administrative penalty, or a prosecution under the *Provincial Offences Act*.

(a) Consent to issue Order

15. Ms. Ali consents to the issuance of the Order attached as Appendix “A” to these Minutes (the “Order”), pursuant to which it is ordered that her life insurance agent licence be revoked.
16. Ms. Ali agrees and undertakes that she will not apply to FSRA for a license to perform any act and/or provide any services for which a license is required from FSRA under the Act, either directly or indirectly through a corporate entity in which she is an officer or director or majority shareholder, or through a partnership.
17. Ms. Ali agrees that FSRA may refuse any licence application she/they may make to FSRA and that she/they will not request a hearing in the event of such refusal.

(b) Process for Execution of Settlement

18. Ms. Ali acknowledges that these Minutes are not binding on the Director until signed by the Director.
19. These Minutes may be executed in counterparts and may be executed and delivered by facsimile or e-mail and all such counterparts and facsimiles or e-mails, as applicable, shall together constitute one and the same agreement.
20. Upon receiving an executed copy of these Minutes from FSRA, Ms. Ali will withdraw her Request for Hearing (Form 1) in respect of the NOP before the Tribunal by completing a Withdrawal/Discontinuance (Form 5) and filing it with the Registrar at the Tribunal within three business days.
21. Upon confirmation from the Tribunal that the Request for Hearing has been withdrawn and the hearing has been cancelled, the Parties agree that the Director will issue an Order in the form attached as Appendix “A” to these Minutes.
22. The Parties accept and understand that these Minutes and any rights within the Minutes shall enure to the Parties and to any successors or assigns of the Parties.

(c) Disclosure of Minutes

23. The Parties will keep the terms of these Minutes confidential until these Minutes are executed by the Parties, except that:
 - i. The Director shall be permitted to disclose the Minutes within FSRA; and
 - ii. The Parties shall be permitted to inform the Tribunal.

24. If either of the Parties do not sign these Minutes or the Director does not issue the Order:
- i. These Minutes, and all related discussions and negotiations will be without prejudice to FSRA and Ms. Ali; and
 - ii. FSRA and Ms. Ali will each be entitled to all available proceedings, remedies and challenges, including proceeding to a hearing of the allegations contained in the NOP. Any proceedings, remedies and challenges will not be affected by these Minutes, or any related discussions or negotiations.
25. Upon the signing of the Order:
- i. Ms. Ali agrees that these Minutes and the Order form part of her administrative record for the purposes of any future licensing decision or as an aggravating factor in respect of a future administrative penalty or prosecution against her or any affiliated entities;
 - ii. Ms. Ali acknowledges that these Minutes and the Order are public and will be published by FSRA on its public website (or that of its successor) along with a press release that summarizes these Minutes and the Order; and
 - iii. The Parties agree not to make representations to any member of the public or media or in a public forum that are inconsistent with these Minutes.

(d) Further Proceedings

26. Whether or not these Minutes are executed, Ms. Ali will not use, in any proceeding, these Minutes or the negotiation or process of approval of these Minutes as the basis for any attack on FSRA's jurisdiction, alleged bias, alleged unfairness, or any other remedies or challenges that may be available.
27. Upon the execution of these Minutes and issuance of the Order:
- i. Ms. Ali waives all rights to a hearing before the Tribunal regarding the NOP;
 - ii. Ms. Ali waives all rights to a judicial review or appeal of the Order;
 - iii. The Director agrees that FSRA will not take any further proceedings against Ms. Ali arising solely from the facts contained in the NOP and in Part II of these Minutes, unless facts not disclosed by Ms. Ali come to the attention of FSRA that are materially different from those contained in the NOP and in Part II of these Minutes, or if Ms. Ali fails to comply with any term in these Minutes; and

- iv. Ms. Ali agrees that if she fails to comply with any term in these Minutes, FSRA is entitled to bring any proceedings available to it.

DATED at Oakville , Ontario, on February 2, 2023

Saadia Ali

DATED at Oakville , Ontario, on February 2, 2023

Mohib Ali
Witness

DATED at Toronto , Ontario, February 10, 2023

Elissa Sinha
Director, Litigation and Enforcement
Financial Services Regulatory Authority of Ontario

By delegated authority from the Chief Executive Officer



Financial Services Regulatory
Authority of Ontario



Autorité ontarienne de réglementation
des services financiers

APPENDIX A

IN THE MATTER OF the *Insurance Act*, R.S.O. 1990, c.I.8, as amended (the “Act”), in particular sections 392.4, 392.5 and 407.1;

AND IN THE MATTER OF Saadia Ali (“Ali”)

ORDER TO REVOKE LICENCE

Ali has been licensed as a life insurance and accident sickness agent since July 4, 2007 under the Act (licence # 07097633). Her current licence will expire on August 12, 2023.

On June 3, 2022, the Director, Litigation and Enforcement (the “Director”), by delegated authority from the Chief Executive Officer of the Financial Services Regulatory Authority of Ontario (the “Chief Executive Officer”), issued a Notice of Proposal to revoke Ali’s life insurance agent licence.

A Request for Hearing (Form 1), dated June 20, 2022, was delivered to the Financial Services Tribunal (the “Tribunal”) with respect to the Notice of Proposal.

On [TBD], Ali withdrew the Request for Hearing, and, on [TBD], the Tribunal closed its file in respect of this matter. This order is made pursuant to a settlement entered into by Ali and the Director.

ORDER

The insurance agent licence (licence # 07097633) issued to Saadia Ali is hereby revoked for the reasons set out in the Notice of Proposal.

DATED at Toronto, Ontario,

Elissa Sinha
Director, Litigation and Enforcement

By delegated authority from the Chief Executive Officer

Si vous désirez recevoir cet avis en français, veuillez nous envoyer votre demande par courriel immédiatement à : contactcentre@fsrao.ca.