

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

AND IN THE MATTER OF Jasneet Singh Bajwa.

NOTICE OF PROPOSAL TO REFUSE TO RENEW LICENCE

TO: Jasneet Singh Bajwa

TAKE NOTICE THAT pursuant to sections 392.4 and 407.1 of the Act, by delegated authority from the Chief Executive Officer of the Financial Services Regulatory Authority of Ontario (the “Chief Executive Officer”), **the Director, Litigation and Enforcement (the “Director”)** is proposing to refuse to renew the insurance agent licence issued to **Jasneet Singh Bajwa**.

Details of these contraventions and reasons for this proposal are described below. This Notice of Proposal includes allegations that may be considered at a hearing.

SI VOUS DÉSIREZ RECEVOIR CET AVIS EN FRANÇAIS, veuillez nous envoyer votre demande par courriel immédiatement à: contactcentre@fsrao.ca.

YOU ARE ENTITLED TO A HEARING BY THE FINANCIAL SERVICES TRIBUNAL (THE “TRIBUNAL”) PURSUANT TO SECTIONS 407.1(2) AND 407.1(3) OF THE ACT. A hearing by the Tribunal about this Notice of Proposal may be requested by completing the enclosed Request for Hearing Form (Form 1) and delivering it to the Tribunal within fifteen (15) days after this Notice of Proposal is received by you. The Request for Hearing Form (Form 1) must be mailed, delivered, faxed or emailed to:

Address: Financial Services Tribunal
25 Sheppard Avenue West, 7th Floor
Toronto, Ontario
M2N 6S6

Attention: Registrar

Fax: 416-226-7750

Email: contact@fstontario.ca

TAKE NOTICE THAT if you do not deliver a written request for a hearing to the Tribunal within fifteen (15) days after this Notice of Proposal is received by you, orders will be issued as described in this Notice of Proposal.

For additional copies of the Request for Hearing Form (Form 1), visit the Tribunal's website at www.fstontario.ca

The hearing before the Tribunal will proceed in accordance with the *Rules of Practice and Procedure for Proceedings before the Financial Services Tribunal* ("Rules") made under the authority of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22, as amended. The Rules are available at the website of the Tribunal: www.fstontario.ca. Alternatively, a copy can be obtained by telephoning the Registrar of the Tribunal at 416-590-7294, or toll free at 1-800-668-0128 extension 7294.

At a hearing, your character, conduct and/or competence may be in issue. You may be furnished with further and or other particulars, including further or other grounds, to support this proposal.

REASONS FOR PROPOSAL

I. INTRODUCTION

1. These are reasons for the proposal by the Director to refuse to renew the insurance agent licence issued to Jasneet Singh Bajwa (“Bajwa”).

II. BACKGROUND

A. FSRA Licensing History

2. Bajwa was licensed as a life agent and accident and sickness agent (licence #15147149) under the Act from October 20, 2015 until the licence expired on October 19, 2023. Bajwa is currently not licensed under the Act.
3. On November 17, 2023, Bajwa submitted an application to renew his insurance agent licence.
4. Bajwa is also licensed as a mortgage agent (level 2) under the *Mortgage Brokerages, Lenders and Administrators Act, 2006* (“MBLAA”) (licence #M22000639). His mortgage agent licence is valid until March 31, 2025.
5. Bajwa’s mortgage agent licence is subject to a Notice of Proposal to Refuse to Renew his licence due to the conduct outlined below and a false statement on his mortgage licence renewal application.

B. Industrial Alliance Investigation

6. Bajwa was affiliated with World Financial Group Insurance Agency of Canada Inc. (“WFG”) and ivari, and sold life and health policies through Industrial Alliance (“iA”).
7. In November 2022, iA investigated Bajwa due to a “very high volume” of business submitted in comparison to previous years. Bajwa was suspended from conducting business while iA investigated.
8. On June 19, 2023, iA provided Bajwa with a letter outlining the findings of its investigation (the “Findings Letter”).
9. The iA investigation found that, among other things, of approximately 21 contracts sold, only one was still in force; Bajwa failed to establish the suitability of the products he sold; there were significant discrepancies in the signatures on documents submitted; 16 of 19 driver’s licenses used to verify client identities were invalid; and there were unconvincing or nonexistent answers from Bajwa to iA’s questions.

10. As a result, Bajwa's ability to conduct business with iA was terminated and he was advised that a commission chargeback would be initiated.

C. Additional Reporting and Terminations of Bajwa

11. On June 19, 2023, iA submitted a Life Agent Misconduct Report ("LAMR") to FSRA about Bajwa.
12. On August 31, 2023, Bajwa was terminated for cause from WFG.
13. On October 3, 2023, Bajwa was terminated for cause from ivari.
14. At the same time, WFG and ivari reported suitability concerns regarding Bajwa to FSRA.

D. Life Agent Misconduct Examination by FSRA

15. On July 18, 2023, Bajwa was advised that he was selected for an examination by FSRA and was required to complete the Life and Health Insurance Agent Market Conduct Questionnaire, which included uploading any supporting documentation.

Invalid E&O

16. Bajwa provided proof of current Errors and Omissions ("E&O") insurance for a policy period of August 14, 2023 to August 14, 2024. WFG was the policy holder.
17. However, Bajwa had been terminated by WFG in August 2023.
18. In an interview with FSRA, Bajwa admitted he did not have valid E&O from August 2023 to October 23, 2023 when his licence expired.

False Information on Policy Applications

19. Between October 11, 2022 and November 8, 2022, Bajwa submitted 16 insurance applications for clients which contained false information, including invalid driver licence numbers.

Commission Charge Backs

20. Bajwa has been charged back for commissions earned on all 22 of the contracts he sold. The chargebacks total approximately \$70,217.35.

E. False Statement on Renewal Application

21. On or about November 17, 2023, Bajwa submitted an application to renew his insurance agent licence.
22. Despite having been terminated for cause from iA in June 2023, Bajwa falsely stated he would be conducting business with iA.
23. Bajwa also falsely indicated that he had not had a business relationship terminated for, among other things, breach of trust or fraud.

III. CONTRAVENTIONS OR FAILURES TO COMPLY WITH THE ACT

A. Failure to Maintain Valid E&O Insurance

24. Section 13 of Ontario Regulation 347/04 states that an agent who holds a life insurance licence shall maintain E&O insurance in a form approved by the Chief Executive Officer in an amount of at least \$1,000,000 in respect of any one occurrence with extended coverage for loss resulting from fraudulent acts.
25. The Director is satisfied that Bajwa failed to maintain valid E&O insurance from August 31, 2023 until his licence expired on October 23, 2023.

B. False or Misleading Statements or Representations

26. Section 17(c) of Ontario Regulation 347/04 states that a life insurance agent is prohibited from making a false or misleading statement or representation in the solicitation or registration of insurance.
27. The Director is satisfied that Bajwa made false and misleading statements or representations to iA in the submission of 16 insurance applications which contained invalid driver's licence information. Further, Bajwa made material misstatements or omissions on his renewal application to FSRA.

IV. GROUNDS FOR REFUSING TO RENEW A LICENCE

28. Section 392.4(1) of the Act states that the Chief Executive Officer shall issue a licence to act as an insurance agent in Ontario to an applicant who applies in accordance with section 392.3 and who satisfies the prescribed requirements for the licence unless the Chief Executive Officer believes, on reasonable grounds, that the applicant is not suitable to be licensed having regard to such circumstances as may be prescribed and such other matters as the Chief Executive Officer considers appropriate.

29. Section 7(4) of Ontario Regulation 347/04 permits the Chief Executive Officer to refuse to renew an insurance agent licence on any grounds for which a licence may be suspended or revoked.
30. Further, section 8 of the Ontario Regulation 347/04 permits the Chief Executive Officer to revoke a licence on any grounds on which an application for a licence may be refused or if, after due investigation and hearing, it appears to the Chief Executive Officer that the licensee,
 - (a) has violated any provision of the licence in the licensee's operations as an agent;
 - (b) has made a material misstatement or omission in the application for the licence;
 - (c) has been guilty of a fraudulent act or practice; or
 - (d) has demonstrated incompetence or untrustworthiness to transact the insurance agency business for which the licence has been granted.
31. Section 4(1) of Ontario Regulation 347/04, subsections (a) and (i) respectively, provide that an applicant for a licence shall be granted a licence if the Chief Executive Officer is satisfied that the applicant is of good character and reputation, and is otherwise suitable to receive a licence.
32. To protect consumers, FSRA performs a gatekeeper function in assessing licensing applicants for suitability. When FSRA issues a licence, it endorses the good character and reputation of applicants, assuring the public that the licensee can serve as a trusted advisor to clients who often rely on their insurance agents when making important financial decisions that can have a significant impact on their lives and well-being. When applicants fail or refuse to take reasonable and appropriate steps to provide complete and truthful disclosure, they prevent FSRA from performing its gatekeeping function.
33. Bajwa has demonstrated he is not of good character and reputation or otherwise suitable to receive a licence. Bajwa demonstrated a continued pattern of untrustworthiness by making false statements to the insurer on 16 applications for insurance and to FSRA. His conduct poses a risk to consumers if licensed that cannot be cured by attaching conditions to the licence.
34. For the reasons set out above, the Director is of the view that the Applicant is not suitable to be licensed under the Act.

35. Such further and other reasons as may come to my attention.

DATED at Toronto, Ontario, .

Elissa Sinha
Director, Litigation and Enforcement

By delegated Authority from the Chief Executive Officer