

**Wm. E. Hancock Life & General Insurance Brokers Ltd.**  
**Registration Number: A907**  
**Kitchener, Ontario**

**William E. Hancock**  
**Registration Number: R4746**  
**Kitchener, Ontario**

**HEARING DATE: April 28, 2016**

**MISCONDUCT: Ontario Regulation 991, ss 14(8), 15(1)13, 14, 16(4) 4.1 and 4.2 and 17(2), 17(2)(d) and 17(5)**

**PARTICULARS OF THE COMPLAINT:**

Wm. E. Hancock Life & General Insurance Brokers Ltd. (hereinafter referred to as "Wm. E. Hancock Insurance Brokers Ltd.") is a registered insurance brokerage carrying on business in the City of Kitchener, Ontario.

Investigation by RIBO staff indicated as follows:

- (a) that the firm may have failed to maintain accounting books and records in accordance with the Regulations;
- (b) that the firm may have provided RIBO with false and misleading information regarding records of its clients and may have reported false and misleading information on its Form 1 Position Reports;
- (c) that the firm may have failed to disburse funds held in trust in accordance with the terms and conditions upon which they were received; either to an appropriate insurer or as refund to the client when insurance was not provided; and
- (d) that the firm may have failed to fully disclose a fee as per Regulation.

At all material times, William E. Hancock is a Registered Insurance Broker and is the Principal Broker of Wm. E. Hancock Insurance Brokers Ltd. ("the brokerage") with authority to act in the name of the Corporation regarding reports made to RIBO under the Regulations and may have knowingly concurred in the alleged misconduct of the brokerage as set out above. William E. Hancock also may have provided the Corporation with false and misleading information as set out above and may have failed to disburse trust funds in accordance with the terms and conditions upon which those funds were received and may have failed to fully disclose a fee as per Regulations.

**DISCIPLINE COMMITTEE'S DISPOSITION:**

At the onset of the hearing, Mr. William E. Hancock waived his right to Counsel at the hearing.

The Discipline Committee accepted the plea of guilty by William E. Hancock personally and by William E. Hancock on behalf of the brokerage and accepted the evidence adduced by RIBO in support of the plea of guilty, including an Agreed Statement of Facts and Joint Submission as to penalty as amended, signed on March 9, 2016 by William E. Hancock, and finds that William E. Hancock is guilty of misconduct. The Discipline Committee, therefore, ordered:

- (a) That the Certificate of Registration of William E. Hancock is revoked effective 60 days from the date of this Decision.
- (b) That a recommendation be made to the Qualification and Registration Committee that they not consider any application from William E. Hancock to reapply for his license until after 2 years from the date of revocation being June 28, 2016.
- (c) That should the Qualification and Registration Committee agree to take the application for a Certificate of Registration, William E. Hancock will be required to take and successfully pass the RIBO Level 1 examination and Mr. Hancock's license will be restricted to "acting under supervision" for a minimum period of 5 years from the date of successfully passing the RIBO exam.
- (d) That the brokerage's accountant confirms in writing to RIBO that as of May 31, 2016 the books and records of the brokerage are in full compliance with Section 17 of Regulation 991, and that the brokerage is in a position to prepare monthly listings of trust assets and liabilities in a timely manner. This confirmation to be in RIBO's offices no later than June 30, 2016.
- (e) That the brokerage files monthly position reports in Form 1 showing full compliance for a period of one year, commencing with the month ending May 31, 2016, and thereafter as at June 30, 2016, July 31, 2016, August 31, 2016, September 30, 2016, October 31, 2016, November 30, 2016, December 31, 2016, January 31, 2017, February 28, 2017, March 31, 2017 and April 30, 2017. These reports are to be accompanied with the following verifying financial attachments; internally generated balance sheet, income statement, summary page of the aged premium receivable listing, copies of the original bank reconciliations and statements on the trust and general accounts, and any other working paper that verifies a balance that differs with a system generated balance. Should these financial attachments not be applicable to

this brokerage, then RIBO and the broker will agree on what these verifying financial attachments will be. These reports are to be in RIBO's office 30 days after the respective month end.

- (f) That the brokerage files quarterly position reports in Form 1 showing full compliance for a period of one year, commencing with the month ending June 30, 2017, and thereafter as at September 30, 2017, December 31, 2017 and March 30, 2018. These reports are to be accompanied with the following verifying financial attachments; internally generated balance sheet, income statement, summary page of the aged premium receivable listing, copies of the original bank reconciliations and statements on the trust and general accounts, and any other working paper that verifies a balance that differs with a system generated balance. Should these financial attachments not be applicable to this brokerage, then RIBO and the broker will agree on what these verifying financial attachments will be. These reports are to be in RIBO's office 30 days after the respective month end.
- (g) That the brokerage shall submit copies of all cancelled cheques and appropriate bank statements of the brokerage confirming refunds owed to clients in the amount of \$47,182, \$10,368, \$211 and \$150. These refunds confirmations are due in RIBO's offices no later than May 31, 2016.
- (h) That the brokerage shall pay a fine in the amount of \$10,000 by cheque made payable to the Minister of Finance. This cheque to be received by RIBO's office no later than May 28, 2016.