

Sadrudin Khushal
Registration Number: R24259
Richmond Hill, Ontario

HEARING DATE: December 1, 2022

MISCONDUCT: Ontario Regulation 991, ss 14.1 and 14.3

PARTICULARS OF THE COMPLAINT:

At all material times, Sadrudin Khushal, was a registered insurance broker, employed by a brokerage.

As a result of information RIBO staff received from a member of the public, it appears that Sadrudin Khushal may have committed misconduct by:

- providing a certificate of insurance coverage without receiving the authorization to place the property insurance coverage; and
- leaving the complainant uninsured for approximately one (1) month.

DISCIPLINE COMMITTEE'S DISPOSITION WITH REASONS:

The Discipline Committee approved a consent agreement between Sadrudin Khushal and RIBO, and ordered:

- (a) that Sadrudin Khushal's RIBO membership is hereby suspended for one (1) month commencing from the date of the Discipline Hearing in this matter. During this suspension, Mr. Khushal will remain subject to the continuing jurisdiction of RIBO for all purposes of the *RIB Act*, but he will not be allowed to act as an insurance broker.
- (b) that Sadrudin Khushal pay a fine by cheque in the amount of \$1,000.00 made payable to the Minister of Finance and to be received by RIBO on or before the Discipline Hearing date in this matter.
- (c) that Sadrudin Khushal shall apply and successfully complete the Ethics course provided by the Insurance Institute of Ontario and provide RIBO with a certificate of completion within six (6) months of the date of the Discipline Hearing.

REASONS:

The Discipline Committee accepted the guilty plea of Sadrudin Khushal, to the allegations of professional misconduct for breach of Regulation 991 s 14.1 and 14.3 as outlined in the signed Direction by Way of Consent and Acknowledgment labeled as Exhibit #1.

The Discipline Committee found that the evidence submitted in the Agreed Statement of Facts labeled as Exhibit #2 supported the guilty plea and findings of professional misconduct which were made against Mr. Khushal for breach of Sections 14.1 and 14.3 of Regulation 991.

Regarding penalty, the panel accepted the Acknowledgement and Consent executed by Sadrudin Khushal on June 22nd, 2022, outlining a joint submission on penalty as follows:

- (a) One (1) month suspension of RIBO membership;
- (b) Payment of a fine in the amount of \$1,000.00; and
- (c) Successful completion of the Ethics course from the Insurance Institute of Ontario within six (6) months of the date of the hearing.

MATTER FOR NON-PUBLICATION

The panel was initially informed that Mr. Khushal consented to publication. Mr. Khushal advised the panel that he wished to make submissions in support of non-publication pursuant to section 23 of Regulation R.R.O. 1990, Reg. 991, made under the *Registered Insurance Brokers Act*, R.S.O. 1990, c. R.19.

The panel accepted submissions from Counsel for RIBO and Mr. Khushal regarding whether the matter should be published. The panel considered the submissions in their entirety.

Publication promotes transparency and fairness which bolster RIBO's public protection mandates. The Discipline Committee must balance the goals of specific and general deterrence, education of the brokerage community and public confidence and protection.

The Publication Guidelines - October 2016 outline that the Discipline Committee will publish decisions unless the member convinces the Committee of extenuating or extraordinary circumstances that warrant an order of non-publication.

The panel found that the member's behaviour was serious as he admitted to knowingly providing an unauthorized insurance certificate and misrepresented insurance coverages. The agreed upon evidence was that the customer was left unknowingly uninsured for approximately one (1) month.

The Committee found no extenuating or extraordinary circumstances that warranted an order for non-publication.

The Discipline Committee orders that the matter will be published in accordance with Section 23 of Regulation R.R.O. 1990, Reg. 991, made under the *Registered Insurance Brokers Act*, R.S.O. 1990, c. R.19.