

David George Dinan
Registration Number: S3008
Toronto, Ontario

HEARING DATE: September 25, 2008

MISCONDUCT: Ont. Reg. 991, ss. 14(1), 14(3), 16(4)(1) and 4(i)

PARTICULARS OF THE COMPLAINT:

David George Dinan pleaded guilty to failing to abide by the Regulations as set out above. On October 2006 David George Dinan's former employer advised RIBO that he received a call from the bookkeeper of one of their commercial clients inquiring about a cheque in the amount of \$3,000.00 made payable to David George Dinan. The bookkeeper faxed a copy of the cancelled cheque to the principal broker and RIBO was advised by the principal broker that he was unable to account for the money.

When asked for documentation, the client said that in 2005, David George Dinan, who was her broker at the time, said he would be able to save her money on her insurance policies, however, that she needed to write him a cheque in the amount of \$453.00, which would come off her premium. The client made a cheque payable to Mr. Dinan and did not think any more of it as her actual policy arrived at \$1,547.00 and she was originally quoted at \$2,000.00 by Mr. Dinan she assumed the difference was the \$453.00 which she paid him previously, and that it went towards the policy.

The client also said that just before Christmas in 2005, Mr. Dinan arrived with a quotation and requested a cheque immediately of \$3,000.00 which he would hold in trust and would later be applied to her policy. Mr. Dinan also requested a post-dated cheque to the brokerage.

Mr. Dinan's former employer advised the RIBO investigator that when he reviewed the documents submitted by the client that he noticed the number receipt was in the brokerage ledger however under a different client and with a different amount.

DISCIPLINE COMMITTEE'S DISPOSITION:

The Discipline Committee found that there was sufficient evidence in support of the plea of guilty and found that David George Dinan was guilty of misconduct as alleged therein and ordered:

- (a) That the Certificate of Registration of David George Dinan be suspended for 5 months effective October 3, 2008.

- (b) That the Certificate of Registration of David George Dinan be restricted to acting under supervision and that a recommendation to the Qualification and Registration Committee be made that they not consider any application by Mr. Dinan to remove said restriction for not less than 5 years.
- (c) That David George Dinan is required to disclose the facts of this Order to his current employer and any future employer.