

**IN THE MATTER OF THE *FINANCIAL
INSTITUTIONS ACT*, RSBC 1996, C. 141**

and

Peoples Choice Warranty Ltd.

(Pursuant to section 208 of the *Financial Institutions Act*)

UNDERTAKING

[This Undertaking has been redacted before publication.]

WHEREAS the BC Financial Services Authority ("BCFSA") completed an investigation into the conduct of extraprovincial corporation Peoples Choice Warranty Ltd. ("PCW") pursuant to an Order issued under section 215(1) of the *Financial Institutions Act* ("FIA");

AND WHEREAS the Superintendent of Financial Institutions (the "Superintendent") is of the opinion, based on the investigation, that PCW carried on the business of insurance in B.C. when PCW underwrote, marketed, and distributed contracts of Vehicle Warranty insurance identified as ("Policies") to B.C. consumers ("Policyholders") without being authorized to do so as required under the FIA, thereby contravening section 75 of the FIA;

AND WHEREAS PCW does not admit they breached section 75 of the FIA but acknowledges that the Superintendent is of the opinion that the alleged breach of section 75 of the FIA took place;

AND WHEREAS PCW acknowledges the right of Policyholders to make claims for indemnity according to terms of their respective Policies until expiration date;

AND WHEREAS PCW began taking steps to cease further distribution of the Policies before BCFSA began its investigation.

AND WHEREAS the Superintendent considers it appropriate to enter into this Undertaking with PCW pursuant to section 208 of the FIA;

AND WHEREAS PCW undertakes the following:

1. To not carry on any new business of insurance in British Columbia until such time as Peoples Choice Warranty Ltd. is authorized by BCFSA to engage in the

Classification: **Protected A**



business of insurance or are otherwise permitted to do so under the FIA;

2. To ensure that any claims for indemnity by Policyholders pursuant to the terms of the Policies, will be administered in compliance with the FIA;
3. To pay to BCFSA the total amount of \$35,000.00 within 30 days of the date of this Undertaking in lieu of a recommendation that the Superintendent issue a Notice of Administrative Penalty under section 253.1 of the FIA; and
4. To pay BCFSA investigative costs in the total amount of \$2,180.00 within 30 days of this Undertaking in lieu of the Superintendent issuing an order for investigative costs to be paid under section 241.1 of the FIA.

This Undertaking may be amended by the written agreement between the Superintendent and PCW. An amendment that results in a release or partial release from this Undertaking does not release PCW from complying with all applicable laws, including but not limited to enactments administered by BCFSA.

Signed to at the City of Ottawa, in the province of Ontario, Canada.

This 6th day of March 2025.

Authorized Signatory – Peoples Choice Warranty Ltd.

Name: Pierre Bernard “Original signed by Pierre Benard”

Title: President and CEO

Signed to at the City of Vancouver, in the Province of British Columbia, Canada.

This 17th day of March, 2025.

BC Financial Services Authority

Name: Joy Tcheng “Original signed by Joy Tcheng”

Title: VP Supervision and Deposit Insurance