



*FP Canada Standards Council™*

*and*

*Randal Haw*

---

## **STATEMENT OF ALLEGATIONS**

---

### **THE FORMER CFP® PROFESSIONAL**

1. Randal Haw (“Mr. Haw” or “the Respondent”) was certified by the Financial Planning Standards Council®, now FP Canada™, as a CERTIFIED FINANCIAL PLANNER® on August 1, 2008. Mr. Haw consistently renewed his certification between 2008 and 2020 and voluntarily cancelled his certification on November 25, 2020. Mr. Haw does not have a discipline history with FP Canada.
2. Mr. Haw obtained his insurance license with the Insurance Council of British Columbia (“ICBC”) in 2005.
3. Mr. Haw has been employed by Westland Insurance Group since February 2005. He resides in Kamloops, British Columbia.

### **HISTORY OF THE PROCEEDINGS**

4. In or about February 2020 Mr. Haw reported to FP Canada that he was the subject of a complaint by two former clients, who are spouses, to the ICBC with respect to allegations of:
  - a. forgery;
  - b. obtaining client signatures in an unauthorized manner;
  - c. obtaining instructions from one spouse and not the other; and
  - d. acting without client instructions.
5. On July 10, 2020, the ICBC issued written reasons and notice of an Intended Decision made on June 23, 2020, which found the Mr. Haw breached sections 3.2 (trustworthiness), 4.2 (good faith) and 5.2 (competence) of the ICBC’s Code of Conduct. Mr. Haw chose not to

request a hearing of ICBC's Intended Decision and on July 27, 2020, the ICBC ordered Mr. Haw to pay a fine of \$2,000; investigation costs of \$1,337.50; and completion of the ICBC Council Rules Course<sup>1</sup>.

6. On or about September 24, 2020, the Standards Council initiated an independent investigation into Mr. Haw's conduct as a CFP Certificant. The investigation was completed on March 9, 2021.
7. On March 23, 2021, the Conduct Review Panel ("CRP") convened and referred this matter to a Hearing Panel.

## NOTICE

8. Further to the direction of the CRP, and in accordance with Article 5.1 of the *FP Canada Standards Council Disciplinary Rules and Procedures*, I hereby give notice of the Standards Council's request that a hearing date be set with respect to the matter identified as: *FP Canada Standards Council™ and Randal Haw*.
9. The Standards Council requests that the hearing in respect of this matter be held in writing.

## APPLICABLE STANDARDS

10. The conduct under investigation occurred between April and May 2019 and the ICBC order was issued in July 2020. Accordingly, Mr. Haw's conduct is governed by the *Standards of Professional Responsibility* in effect for the period from April 2019 to date. The relevant Principles and Rules are set out at **Appendix "A"**.

## ALLEGATIONS

The Standards Council makes the following allegations against the Respondent:

1. In April 2019, the Respondent forged two clients' signatures on their life insurance applications, contrary to Principles 1, 2, 7 and 8 and Rule 2 of the *Standards of Professional Responsibility* in force from April to December 2019.
2. In April 2019, the Respondent obtained copies of two clients' signatures for the purposes of copying their signatures, without their authorization or knowledge, contrary to Principles 2 and 8 and Rule 2 of the *Standards of Professional Responsibility* in force from April to December 2019.
3. In April 2019, the Respondent obtained instructions and information from one client and failed to obtain instructions directly from her spouse, who was also a client, contrary

---

<sup>1</sup> [20200727-Randal-Thomas-Brett-Haw-\(LIF\)](https://www.insurancecouncilofbc.com/20200727-Randal-Thomas-Brett-Haw-(LIF)) (insurancecouncilofbc.com)

to Principles 1, 2 and 8 and Rule 2 of the *Standards of Professional Responsibility* in force from April to December 2019.

4. In May 2019, the Respondent withdrew the clients' insurance applications, without their authorization or consent, and without disclosing the reason for withdrawal to the insurer, contrary to Principles 2 and 8 and Rule 2 of the *Standards of Professional Responsibility* in force from April to December 2019.
5. By engaging in conduct that contravened sections 3.2, 4.2 and 5.2 of the ICBC Code of Conduct, as found by the ICBC in the Intended Decision issued in July 2020, the Respondent failed to provide professional services in accordance with applicable laws, regulations, rules or established policies of governmental agencies or other applicable authorities, contrary to Rule 24 of the *Standards of Professional Responsibility* in force commencing on January 1, 2020.

Dated the 28<sup>th</sup> day of April, 2021



---

Tamara Center  
Director, Professional Conduct and Enforcement  
Counsel to FP Canada Standards Council™

## APPENDIX “A”

### ***Standards of Professional Responsibility for CFP Professionals and FPSC Level 1 Certificants in Financial Planning – April 2019 – December 2019***

#### **Principle 1: Duty of Loyalty to the Client**

The Duty of Loyalty encompasses:

- The duty to act in the client’s interest by placing the client’s interests first. Placing the client’s interests first requires the Certificant place the client’s interests ahead of their own and all other interests;
- The obligation to disclose conflicts of interest and to mitigate conflicts in the client’s favour; and
- The duty to act with the care, skill and diligence of a prudent professional.

#### **Principle 2: Integrity**

A Certificant shall always act with integrity.

Integrity means rigorous adherence to the moral rules and duties imposed by honesty and justice. Integrity requires the Certificant to observe both the letter and the spirit of the Code of Ethics.

#### **Principle 7: Diligence**

A Certificant shall act diligently when providing advice and/or services to clients.

Diligence is the degree of care and prudence expected from Certificants in the handling of their clients’ affairs. Diligence requires fulfilling professional commitments in a timely and thorough manner and taking due care in guiding, informing, planning, supervising, and delivering financial advice and/or services to clients.

#### **Principle 8: Professionalism**

A Certificant shall act in a manner reflecting positively upon the profession.

Professionalism refers to conduct that inspires confidence and respect from clients and the community and embodies all of the other principles within the Code of Ethics.

**Rule 2:** A Certificant shall not engage in any conduct that reflects adversely on his or her integrity or fitness as a Certificant, the certification marks or the profession.

### ***FP Canada Standards Council™ Standards of Professional Responsibility – January 2020 - Present***

**Rule 24:** A Certificant shall provide their professional services in accordance with applicable laws, regulations, rules or established policies of governmental agencies and other applicable authorities, including FP Canada and the FP Canada Standards Council.