

VIA email

August 6, 2013

Ombudsman for Banking Services and Investments
ATTENTION: Mr. Tyler Fleming
Director, Stakeholder Relations and Communications
401 Bay St., Suite 1505, P.O. Box 5
Toronto ON M5H 2Y4

Comments on Consultation -Terms of Reference(TOR)

<http://www.obsi.ca/en/news-a-publications/321-consultation-on-obsis-terms-of-reference>

Thank you for providing me an opportunity to comment on the proposed amendments.

Implementation of the proposed changes in the OBSI Terms of Reference will fundamentally weaken the effectiveness of OBSI. Here are my comments for your consideration:

1. OBSI has a unique perspective of financial complaints and must continue to investigate systemic issues that it comes across.
2. OBSI must continue to act as a one-stop shop including complaints related to segregated funds. Not only would the proposed change increase the hurdle that mistreated seniors would have to jump over, but it will also open the door to regulatory arbitrage by 'advisors' who are already threatening to switch from mutual to segregated funds.
3. The \$350,000 limit should be raised or eliminated.
4. Accelerated treatment of hardship cases should be expedited

Bottom line is that the removal of "systemic issues" from OBSI's purview and forcing retirees/seniors to jump through multiple hoops when segregated funds are also involved, will further weaken investor protection in Canada.

And finally, the OBSI Board should provide sufficient resources to OBSI Management to allow it to meet the complaint resolution cycle time of 80% within 180 days and 100% within 365 days; in addition, adequate resources must be provided so that should a complaint be considered outside of OBSI's Terms of Reference, OBSI must notify complainant with 30 days of receipt of complaint.

You have my permission to post publicly my Comment Letter.

Respectfully,
Peter Benedek
RetirementAction.com