

From: [*On Behalf of Mildred Jagdeo*]

Sent: July 14, 2011 4:51 AM

To: Publicaffairs@obsi.ca/Affairespubliques@obsi.ca

Subject: Re: OBSI Consultation Paper - Suitability and Loss Assessment Process

Email: publicaffairs@ obsi.ca

Tyler Fleming
Director, Stakeholder Relations and Communications
403 Bay St.
Suite 1505, P.O. Box 5
Toronto ON M5H 2Y4

Dear Mr. Fleming,

Re: OBSI Consultation Paper - Suitability and Loss Assessment Process

As a "victim" of unscrupulous financial advisors, the firm, the banking and investment industry, thank you for the opportunity to respond to OBSI Consultation Paper, Suitability and Loss Assessment Process.

My financial advisor's misrepresented mutual funds sold to me; strongly recommended two funds that were in conflict of interest to my investment objective, needs and circumstances and failed to know the product or provide a prospectus. As well as, failed to explain mutual fund types (front/back loads, hold times; MER); to disclose transparency of all relevant investment information; misrepresented account statements; failed to explain the risk and loss tolerance risk and the dangers of the investments recommended, failed to ensure that I understood all the risks associated with any investment recommendation; failed to disclose the special risk of Principal Protected Notes. As well misrepresented return of capital as taxable income; to fraud. But recommended investments that were complete opposite of what I ordered or needed and recommended investments that operated like a Ponzi scheme, to not a binding contract that resulted in a serious capital loss. The advisor's, the firm, management and investigation represented themselves as acting in "my best interests."

When I pointed out the inappropriateness of the mutual funds sold to me, the General Manager and Risk Control Manager notified me that this matter was serious - and asked me to write an official letter of complaint. Numerous investigations for the past two and one-half years has been a lengthy, frustrating experience that is draining the life out of us and the dispute remains unsolved.

As a result the three categories of loss associated with my complaint are, undue market loss attributed to unsuitable investments; misrepresentation of return of capital as taxable income leading to inappropriate borrowing and interest charges, borrowing promoted by my advisor; unauthorized trading resulting in realization of a financial loss and payment of early redemption fees; fraud; to not a binding contract.

It is disappointing to know submissions were made in the 1990's in response to government inquiries to address the problems associated with the banking and investment industry. And that the government failed to take meaningful action to rectify the abuses and wrong doing by the banking and investment industry decades ago.

Based on historic facts, past and current performance of the banking and investment industry and regulators, I fail to see these sectors are capable of self-regulation.

Meaningful change to protect investor's may include the following features:

- Improve communication with victims of financial assault/cut the code of silence
- Plain language and simple truths may be in order
- Assist in articulating the letter of complaint as advertised
- Provisions to reset abused Tolling Agreement Time where applicable
- Avoid sensitive topics in the line of questioning, such a deceased spouse
- Respond to questions and correspondence received from victims within reasonable time
- Re-word line of questioning and not just questions designed to achieve the desired answer
- Stop using the "term account" broadly in line of questioning
- Discuss securities, currency and all relevant investment information in dispute
- Disclose ponzi schemes, fraud and all wrongdoing
- Rebalance investment for duration of time in dispute
- Notional portfolio's should not be used in assessing loss

I have read and support the submissions made by: Larry Elford; SIPA; Kenmar Associates.

I strongly support their submission and support for the retention and strengthening of the single national independent complaint handling service, the Ombudsman for Banking and Investments free from industry influence. To be protected by law, obtain power to enforce restitution where financial assault, fraud and wrongdoing exist.

Regards,

Ms. Mildred Jagdeo