Financial Services Tribunal

2025-26 Annual Report

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1.0 Message from the Chair

I am pleased to provide the 2025-26 Annual Report for the Financial Services Tribunal (FST or Tribunal). This report includes details relating to our key activities and achievements over the year.

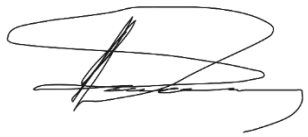
In 2025-26, the FST reviewed and updated a number of governance and operational practices to support the effective delivery of adjudicative services. This included the implementation of a new Memorandum of Understanding with the Minister of Finance, which clarifies the accountability relationship, roles and responsibilities of the FST Chair, Registrar, and the Minister, while supporting the independence of the Tribunal's adjudicative functions. Member remuneration changes were implemented, including for the Chair and Vice-Chair positions, to align with compensation practices across comparable Ontario tribunals and better reflect members' expertise, responsibilities and adjudicative work.

FST members and staff worked steadily throughout the year with hearing and pre-hearing activities. In 2025-26, the FST received 36 new cases and closed 45 cases, up from 34 cases closed in 2024-25. This reflects the Tribunal's continued focus on timely adjudication, effective case management and the efficient delivery of adjudicative services.

To meet caseload requirements and continue to provide effective and efficient adjudicative services, the FST monitored operational needs and assessed whether additional members or specialized expertise were required to support its mandate. As a result, the FST sought appointments for four new members in 2025-26. In addition, the FST sought an appointment for a new Vice-Chair to support Tribunal leadership and ongoing adjudicative operations.

As I hope you will see from this report, much has been accomplished in the past year, and we remain committed to continued improvement. The results we have achieved would not have been possible without the commitment and dedication of our people. I would like to extend my sincere thanks to my colleagues on the Tribunal, in the Registrar's office and within the Ministry of Finance, who have worked tirelessly this year to support the success of our organization.

I look forward to continued success during the remainder of this year and to our ongoing progress in 2026-27.



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Ian McSweeney
Chair

2.0 Overview of the FST

Established by the *Financial Services Tribunal Act, 2017* (FST Act), the FST is an expert, independent adjudicative body. The FST conducts hearings and hears certain appeals on regulatory and disciplinary matters under statutes covering the sectors regulated by the Financial Services Regulatory Authority of Ontario (FSRA), including the:

- *Pension Benefits Act;*
- *Insurance Act;*
- *Mortgage Brokerages, Lenders and Administrators Act, 2006;*
- *Credit Unions and Caisses Populaires Act, 2020;*
- *Loan and Trust Corporations Act;*
- *Prepaid Hospital and Medical Services Act; and*
- *Financial Professionals Title Protection Act, 2019*

The FST has exclusive jurisdiction to exercise the powers conferred on it by legislation and to determine all questions of fact or law that arise in its hearings and the authority to make rules regarding the Tribunal's practices and procedures, including the awarding of costs.

As an administrative adjudicative body, with powers similar to those of a court, the FST provides a relatively fast and cost-effective way to request hearings and appeals of proposed regulatory orders and decisions.

2.1 Mandate

The FST is mandated to conduct hearings and appeals (proceedings) on licensing, market conduct and other matters arising under legislation governing the financial services industry sectors regulated by FSRA. Proceedings are held in accordance with the *Statutory Powers Procedure Act* and the FST's Rules of Practice and Procedure and Practice Directions.

2.2 Mission Statement

The FST delivers adjudicative services to the citizens of Ontario in a fair, independent, effective and efficient manner that promotes public confidence in the sectors regulated by FSRA and protects the public interest in accordance with its legislated authority. The FST promotes public confidence by exercising integrity, expertise and excellence, and by being accessible, accountable and responsive.

2.3 Vision

The FST aspires to encourage diversity, inclusion and belonging within our team and to provide our services with compassion and respect. The FST continuously seeks opportunities to collaborate, innovate and improve.

3.0 Key Activities and Initiatives

In fiscal 2025-26 the FST continued to operate as an independent tribunal with respect to regulatory enforcement activities carried out by the Chief Executive Officer of FSRA pursuant to the *Financial Services Regulatory Authority of Ontario Act, 2016* and the applicable sector statutes.

In alignment with Strategic Direction #1 (qualified adjudicators) as outlined in the 2025-28 Annual Business Plan, the FST monitored operational needs and assessed whether additional members or specialized expertise were required to support its mandate during 2025-26. As a result, the FST sought appointments for four new members. In addition, to replace a retiring member, the FST sought an appointment for a new Vice-Chair to support Tribunal leadership and adjudicative operations.

As part of Strategic Direction #2 (current rules and practices), the FST reviewed and updated a number of governance and operational practices in 2025-26 to support the effective delivery of adjudicative services. This included implementing a new Memorandum of Understanding with the Minister of Finance, which clarifies the accountability relationship, roles and responsibilities of the Chair, the Registrar, and the Minister, while supporting the independence of the Tribunal's adjudicative functions.

To support Strategic Direction #3 (modernized operations), the FST implemented updated member remuneration rates, including for the Chair and Vice-Chair positions. The new remuneration rates align with compensation practices across comparable Ontario tribunals and better reflect members' expertise, responsibilities and adjudicative work. The FST also continues to offer in person and hybrid hearings (combination of electronic and in person) to parties as appropriate in the circumstances.

With respect to the FST's core activities, the Tribunal remained committed to providing an impartial hearing process and adjudicating cases in a transparent, fair and timely manner. In total, 36 new cases were received in 2025-26, in comparison to 58 new cases received in 2024-25. The number of cases pending at the end of the year was 46, compared to 14 at the end of 2024-25. Despite the increase in pending cases, the FST closed 45 cases across various sectors regulated by FSRA, up from 34 in 2024-25.

During 2025-26 there was a total of 152 hearing and related proceeding days before the Tribunal compared to the 172 days in 2024-25. Table 3.0 summarizes the FST's activities in 2025-26.

Table 3.0: FST Activities in 2025-26

Activity	Pension Matters	Mortgage Matters	Insurance Matters	Credit Union Matters	Service Provider Matters	Total 2025-26	Total 2024-25	Total 2023-24
Cases Pending at Beginning of Year	0	26	17	0	1	44	43	28
New Cases Received	4	18	14	0	0	36	58	50
Cases Closed	2	25	17	0	1	45	34	34
Cases Pending at End of Year	3	29	14	0	0	46	14	43
Oral Hearing Days	0	62	6	0	0	68	22	29
Written Hearings	0	2	0	0	0	2	0	0
Other Activity Days – Including: Pre-Hearing Conferences, Settlement Conferences and Motions	5	57	22	0	0	84	150	86
Total Hearing (Oral and Written) and Activity Days before FST	**5**	**119**	**28**	**0**	**0**	**152**	**172**	**115**

Notes:

1. *Table does not include FST quarterly meetings, days for deliberation or decision writing.*
2. *Total number of days worked by all FST members combined for the period were approximately 708.5 days.*
3. *Numbers may reflect activity in respect of files opened prior to 2025-26 fiscal year.*
4. *Written hearings may relate to financial hardship matters, motions, requests for costs or requests for a review of a decision.*

3.1 FST Appointments and Remuneration

In accordance with the FST Act, the Tribunal must have a minimum of nine members, including the Chair and two Vice-Chairs, appointed by the Lieutenant Governor in Council. Appointments to the FST are made in accordance with the *Adjudicative*

Tribunals Accountability, Governance and Appointments Act, 2009 (ATAGAA) and guidelines established by Ontario's Public Appointments Secretariat.

By the end of calendar 2025, the FST appointed four new members and a new Vice-Chair. The new members support the Tribunal's adjudicative capacity and ensure the Tribunal maintains a diverse pool of qualified adjudicators.

To the extent practicable, the Tribunal seeks members based on their experience and expertise in the regulated sectors. This ensures that the FST has adequate technical knowledge and resources to provide adjudicative services to the regulated sectors within FSRA's jurisdiction.

Effective April 1, 2025, Treasury Board Secretariat (TBS) introduced a revised remuneration framework for part-time appointees serving on adjudicative tribunals and regulatory agencies. As a result, remuneration rates for FST members, Vice-Chairs, and the Chair were updated in accordance with the new framework. The revised framework aligns compensation with comparable Ontario adjudicative tribunals and reflects the expertise, responsibilities, and adjudicative work required of Tribunal leadership. These updates support the FST's ability to attract and retain qualified adjudicators and executive members.

The reported remuneration for each FST Member (excluding staff) is for amounts paid in the agency's fiscal year April 1, 2025–March 31, 2026, noted in Table 3.1 below. Determination of each member's reported remuneration is based on payment processing timelines following submission of each member's per diem reports received by the Registrar. The timing of such receipts, and processing time, may impact the amount of reported remuneration for the fiscal year.

Table 3.1: FST Members in Fiscal 2025-26

Name	Position	Tenure (From-To)	Remuneration
Ian McSweeney	Chair	March 11, 2015 - September 12, 2027	$125,800.00
Paul Farley*	Vice-Chair	November 18, 2021 – November 17, 2025	$26,375.00
Bethune Whiston	Vice-Chair	December 17, 2013 - September 23, 2026	$30,750.00
Martin Guest	Vice-Chair	December 2, 2021 – December 1, 2026	$35,184.00
Ruth Wahl	Member	December 2, 2021 – December 1, 2026	$33,984.00
Caroline Hunt*	Member	February 8, 2018 - February 7, 2026	$472.00
Allan Shapira	Member	March 2, 2023 – March 1, 2027	$2,832.00
Nicholas Savona*	Member	March 18, 2020 - March 17, 2025	$708.00

Edward Skwarek	Member	March 18, 2020 - March 17, 2027	$36,344.00
Jane Waechter	Member	March 23, 2023 – March 22, 2027	$23,836.00
Anthony Fredericks	Member	April 11, 2018 – April 10, 2027	$0
Christopher Portner	Member	August 17, 2017 - September 12, 2027	$84,960.00
Mohammad Faisal Siddiqi*	Member	March 1, 2017 - March 20, 2026	$1,416.00
Garnet Fenn	Member	January 11, 2024 – January 10, 2028	$8,024.00
Kathryn Bush**	Member	December 17, 2025 - December 16, 2027	$0
Verlyn Francis**	Member	December 17, 2025 – December 16, 2027	$0
Emily Cole**	Member	December 17, 2025 – December 16, 2027	$0
Hamish Dunlop**	Member	December 17, 2025 – December 16, 2027	$0

** Indicates individuals who received remuneration during the 2025–26 fiscal year but are no longer serving as Tribunal members as of March 31, 2026.*
*** Indicates individuals who began with the Tribunal in December 2025 but have not yet received remuneration.*

3.2 Governance and Accountability

In 2025-26, the FST Chair entered a new Memorandum of Understanding (MOU) with the Minister of Finance, replacing the previous agreement established in 2021. The updated MOU was developed to align with the government's revised Agencies and Appointments Directive and modernize the Tribunal's governance and accountability framework.

In addition to clarifying the respective roles and responsibilities of the Minister, Chair, Deputy Minister and Registrar, the MOU introduces new requirements related to artificial intelligence governance and reporting, risk management, cybersecurity, diversity and inclusion, and compliance oversight. The MOU also reinforces the accountability relationship between the FST and the Ministry of Finance while continuing to recognize and protect the Tribunal's independence in adjudicative decision-making.

The MOU is publicly available on the FST website.

3.3 Tribunal Operations

During 2025-26, the FST office continued to be supported by the Registrar, Assistant Registrar and Administrative Coordinator positions. Together, these roles supported the administration of Tribunal proceedings, including case intake, scheduling, hearing coordination, records management and operational support for Tribunal members.

FST staff continued to support the effective administration of hearings, pre-hearing conferences, settlement conferences and motions, while ensuring compliance with applicable legislative and procedural requirements. The Tribunal also maintained its ability to offer both in person and hybrid hearings, providing flexibility to parties while supporting the fair, efficient and timely resolution of matters.

To support increasingly complex proceedings and operational demands, the FST procured a new court reporting services contract in 2025-26. These services support the creation of official hearing records and transcripts, helping to ensure the effective administration of Tribunal proceedings and the timely adjudication of matters before the Tribunal.

3.4 Artificial Intelligence

The FST did not use artificial intelligence (AI) in its operations in fiscal 2025-26. Should the need arise in the future, the FST would use the proper procedures based on use-case as instructed in the Responsible Use of AI Directive.

4.0 FST Public Service Standards

In accordance with the OPS Service Directive (Directive), the FST has developed service standards to meet the Directive's mandatory requirements to:

- Establish and communicate to customers, program-specific service standards for services offered;
- Monitor and measure the quality of service provided; and
- Communicate to customers, the actual quality of service provided.

The Directive articulates and reinforces the need for service standards, processes and practices, roles and responsibilities to ensure accessible and quality services to customers. In fiscal 2025-26, the FST continued to focus on meeting its commitments and delivering service to the members of the public. Table 4.0 summarizes how the FST performed against its standards in fiscal 2025-26.

Table 4.0: FST Service Standards in Fiscal 2025-26

Performance measures	# of cases / decisions	Target # of cases	# of cases that met standard	Target %	Service Standard Achieved
Acknowledgement letter sent within 5 calendar days of filing ***Standard: 100% of cases***	36	36	32	100%	90%

Pre-hearing date scheduled within 35 calendar days of filing completed Request for Hearing or Notice of Appeal, unless otherwise ordered by the hearing/appeal panel chair. The Registrar may set the first pre-hearing date to comply with this standard if a party is non-responsive or unwilling to agree to a date. ***Standard: 90% of cases***	36	32	32	90%	90%
Decision issued within 90 calendar days from final day of hearing ***Standard: 90% of cases***	36	32	36	90%	100%

Service excellence is a priority for the FST, and it highlights the FST's commitment to providing fair, effective and timely judgements. While the FST strives to meet its service standards, including sending an acknowledgement letter within five calendar days, the ability to meet this standard may sometimes be affected by missing information in the request for hearing and resource availability. Going forward, the FST will work to prioritize the acknowledgement letters, including to identify any missing information as quickly as possible upon receipt of a request for hearing.

5.0 Financial Summary

The FST's budget is funded through interim spending authority provided by the government, until its costs are fully recovered from the regulated sectors through an annual assessment facilitated by FSRA. The expenses and expenditures of the FST are charged to the Ministry of Finance's Financial Services Tribunal Program and are fully recovered from the regulated sectors through FSRA.

The FST's spending authority is funded through interim payments from the Consolidated Revenue Fund, authorized under Section 15.1 of the *Financial Administration Act*, which are to be fully recovered from FSRA in each fiscal year. Table 5.0 below provides an overview of FST revenues and expenditures.

Table 5.0: FST Revenues in Fiscal 2025-26

Item	2025-26	2024-25
Recovery from Sectors	$1,054,649.01	$617,973.07
Total Revenue	**$1,054,649.01**	**$617,973.07**

Table 5.1: FST Expenditures in Fiscal 2025-26

Item	2025-26	2024-25
Salaries and Wages	$232,685.86	$158,471.33
Employee Benefits	$51,976.00	$17,637.35
Transportation and Communications	$1,339.04	$1,773.71
Services	$767,526.12	$439,150.65
Supplies and Equipment	$1,121.99	$940.03
Total Expenditures	**$1,054,649.01**	**$617,973.07**

Notes:

1. *Under subsection 15(1) of the FST Act, 2017, the Lieutenant Governor in Council may assess FSRA with respect to all expenses and expenditures that the FST and the Ministry of Finance have incurred and made under the FST Act or any other Act that confers powers or assigns duties to the FST. This assessment is made in accordance with Order in Council 115/2020 and O. Reg. 144/19.*

In fiscal 2025-26, the FST reported $1,054,649.01 in total revenues and expenditures compared to $617,973.07 in the previous year. The increase in expenditures was primarily driven by the growing complexity of regulatory issues within Ontario's financial services sector. This complexity required a greater number of oral hearing days and resulted in increased member compensation costs and higher hearing-related expenses, including court reporting services to support Tribunal proceedings. Expenditures also increased following updates to member remuneration to align compensation with comparable Ontario tribunals and better reflect members' expertise, responsibilities and adjudicative work.