

Robert Day
Manager, Business Planning
Ontario Securities Commission
30 Queen Street West
Suite 1900 Box 55
Toronto, Ontario
M5H 3S8

May 4, 2011

Dear Mr. Day,

I applaud the Ontario Securities Commission 2011-2012 proposed focus to enhance and increase investor protection. As an investor with an ongoing complaint I can tell you from experience the system needs to be fixed. The deck is clearly stacked against the investor. By registering a complaint I feel like I have entered into a foreign land and a not too friendly one at that! Unfamiliar with the language with no road map to help navigate me through the ever shifting defer, delay, deny maze, it is easy to become discouraged. Even sympathetic regulators that have crossed my path divulge little information.

Here are some simple changes that can be made. The New Account Application Form and the Know Your Client Form need to be standardized across the board and should be consumer friendly and set up to protect the investor. These forms should be a real attempt to know and understand the client instead of the DYC (Dupe Your Client) or CYA form they appear to be at the present time. I have been exposed to forms that were impossible to complete without lying if you wanted to land in a low risk category. Where is the section for no risk?

These forms should be designed by investor advocates who know the pitfalls in the industry. They can design questions that would accurately measure the client's knowledge, risk tolerance, and loss tolerance. Any unfamiliar terms and words used must be explained. Industry lingo like MER, FEL, DSC etc. need layman explanations. Investors who have lodged a complaint should also be told there are investor advocates who can help them through the process.

Similar to real estate, you should also clearly be able to see the commission your adviser is being paid since you are paying it. There should be a written description of what your adviser is doing or not doing for that commission. All fees, taxes, redemption penalties, clauses...all pertinent information must be disclosed for an informed consent to be given. These things cannot be hidden in pages and pages of legal mumbo-jumbo that even if you take the time to read you cannot understand.

A renewed and an especially rigorous effort must be put in place to safeguard seniors.

Several months into my complaint, someone from the OSC called me, to ask permission, to ask me some questions. After answering her questions, her advice to me was to "get a good securities lawyer and don't let the firm off the hook, as they are the gatekeeper." What then is the role of OSC?

My complaint is now over two years old with no decision from any of the regulators. They state they are "still investigating". There is no resolution or restitution in sight. For my confidence as investor to return to the system, I need to see proper safeguards and rules in place and swift decisive and firm action taken when rules are broken. Restitution should not be referred to the legal system but should be handled by the regulators who know what rules and policies have been broken.

Sadly, it appears to this investor, you need the patience of a saint, the endurance of Job and the determination and stamina of a superhero for this journey.

Respectfully,

Debra A. McFadden