



**Citation: Standard Auto Sales Inc. and Ali Samadzadeh v. Registrar, *Motor Vehicle Dealers Act, 2002*, 2025 ONLAT MVDA 16748**

**Licence Appeal Tribunal File Number: 16748/MVDA**

In the matter of an appeal from a Notice of Proposal to Refuse Registration of Standard Auto Sales Inc. ("Standard") as a motor vehicle dealer and Ali Samadzadeh ("Samadzadeh") as a motor vehicle salesperson issued by the Registrar pursuant to the *Motor Vehicle Dealers Act, 2002*, S.O. 2002, c. 30, Sch. B (the "Act"),

Between:

**Standard Auto Sales Inc. and Ali Samadzadeh**

**Appellants**

and

**Registrar, *Motor Vehicles Dealers Act, 2002***

**Respondent**

**DECISION and ORDER**

**VICE-CHAIR:**

**Geneviève Painchaud**

**APPEARANCES:**

For the Appellants:

Ali Samadzadeh, Appellant

For the Respondent:

Rishi Nageshar, Counsel

**Heard by Videoconference: July 14, 2025**

## OVERVIEW

- [1] On February 9, 2025, the Registrar issued a Notice of Proposal to Refuse Registration (“NOP”) of Standard Auto Sales Inc. (“Standard”) as a motor vehicle dealer and Ali Samadzadeh (“Samadzadeh”) as a motor vehicle salesperson (together the “appellants”) pursuant to ss. 6 and 9 of the *Motor Vehicle Dealers Act*, 2002, S.O. 2002, c. 30, Sch. B. and Regulations (the “Act”).
- [2] Samadzadeh and Standard’s registrations under the *Act* had been expired for more than 60 days and therefore reapplications were necessary. They had expired in 2021.
- [3] Since 2023, Samadzadeh has been the person in charge of the day-to-day operations of Standard where he has been an officer and/or a director since 2018.
- [4] The Registrar requested financial documentation from Samadzadeh in relation to the two reapplications which he declined to provide.
- [5] There were three witnesses at the hearing, the appellant, Shelley Webb, Registration Service Manager at the Ontario Motor Vehicle Industry Council (“OMVIC”) and Mohamed Ali, a Senior Registration Officer at OMVIC.

## ISSUE

- [6] The issue to be decided in this hearing is whether Samadzadeh’s failure to provide information specified by the Registrar pursuant to s. 6(1.1) of the *Act* disentitles him and Standard to registration pursuant to s. 6(1)(g) of the *Act*.

## RESULT

- [7] I find the Registrar has satisfied its burden to establish that Samadzadeh’s failure to provide information specified by the Registrar pursuant to s. 6 (1.1) of the *Act* disentitles him and Standard to registration pursuant to 6(1)(g) of the *Act*.
- [8] I direct the Registrar to carry out the NOP.

## LAW AND ANALYSIS

- [9] Under s. 6(1)(a)(i) of the *Act*, an applicant is disentitled to registration as a motor vehicle salesperson if having regard to the applicant's financial position or the financial position of an interested person in respect of the application, the applicant cannot reasonably be expected to be financially responsible in the conduct of business.
- [10] Under ss. 6(1)(d)(i) and (ii) of the *Act*, an applicant who is a corporation is disentitled to registration if having regard to its financial position or the financial position of an interested person in respect of the corporation, the applicant cannot reasonably be expected to be financially responsible in the conduct of its business. Also, if having regard to the financial position of its officers or directors or an interested person in respect of its officers or directors, the applicant cannot be reasonably be expected to be financially responsible in the conduct of its business.
- [11] Under s. 6(1)(g) of the *Act*, an applicant who fails to comply with a Registrar's request for information under s. 6(1.1) of the *Act* is not entitled to registration.
- [12] Under s. 6(1.1) of the *Act*, the Registrar may request an applicant for registration or renewal of registration to provide to the Registrar, in the form and within the time period specified by the Registrar, information specified by the Registrar that is relevant to the decision to be made by the Registrar as to whether or not to grant the registration.
- [13] Under s. 8(1) of the *Act*, the Registrar may refuse to register an applicant if, in its opinion, the applicant is not entitled to registration under s. 6.
- [14] Section 9(1)(a) of the *Act* provides that the Registrar must provide written notice of the proposed refusal and the appellant may request a hearing by the Tribunal pursuant to section 9(2).
- [15] Section 9(5) of the *Act* provides that the Tribunal shall hold the hearing and following the hearing, may direct the Registrar to carry out the proposal or substitute its opinion for that of the Registrar and the Tribunal may attach conditions to its order.
- [16] The onus is on the Registrar to establish the grounds alleged in the NOP.

- [17] Samadzadeh submits that he filed his reapplications in October 2022 and due to unknown technical issues, they were not processed. He went through the process again in 2023 in person at OMVIC.
- [18] In processing the reapplications, the Registrar reviewed all of the applicants' answers to take into account past conduct and consider the financial positions of applicants as required per s. 6(1)(d)(i) and (ii) of the *Act*.
- [19] The Registrar described how there was incomplete information on the reapplication and followed up with Samadzadeh to request more information such a complete business plan. There were other areas of concern due to a previous bankruptcy.
- [20] The Registrar also requested 3 months of bank statements and Samadzadeh's Notice of Assessment ("NOA") for the previous year to evaluate the financial positions of the applicants. Samadzadeh refused to provide them.
- [21] Without the NOA and bank statements, the Registrar submits it did not have the required information to review the application and therefore denied it.
- [22] The Registrar argues that they need to receive bank statements to ensure the applicants have the financial ability to follow their business plan and to look at items such as NSF transactions in relation to financial stability. They need the NOA to ensure there are no taxes owed to CRA and the source of funding as per its duty under s. 6 of the *Act*. Since the appellants' registrations had lapsed, each is treated as a new application, especially as there were serious issues with the Samadzadeh's financial history dating back to 2007 and 2009.
- [23] The Registrar adds that they are obligated to take these steps to protect consumers, whether it be the public or other dealers and importers, and these are not meant to be punitive but part of its gatekeeping function.
- [24] Samadzadeh submits that he did not have to submit this information in 2019 when he applied and that his registration was automatically renewed many times without this information being required. In the past, he was once asked for his NOA and he refused, but he was still allowed to register. He believes this is a loophole for OMVIC to refuse his reapplications and stated that the only reason he was holding back on providing the information requested is it was a different process this time versus in 2019.

- [25] Samadzadeh has been frustrated by the process taking over two years to get to a LAT hearing, especially as he does not deal directly with consumers so the risk of harm to the public is minimal. At the hearing he offered to provide the information requested by the Registrar.
- [26] To this offer, the Registrar stated it cannot properly evaluate this information today and for the appellants withdraw the appeal as it may have more questions once it receives and reviews any submitted information.
- [27] There is no dispute that the information requested by the Registrar under s. 6(1.1) of the *Act* was not provided, as the parties agree that the NOA and bank statements requested by the Registrar to process the reregistration were not provided by Samadzadeh.
- [28] While Samadzadeh offered to provide the NOA and bank statements towards the conclusion of the hearing, I find it is too late and he had many chances to comply, and I do not have the authority or jurisdiction to decide if those documents would be satisfactory for the Registrar. This is not simply about providing documents, but to have those documents properly evaluated to the satisfaction of the Registrar in line with their obligations under the *Act*.
- [29] The Registrar points to *Taylor o/a Word of Mouth Enterprises v. Registrar, OMVIC, 2004* where the Tribunal addressed similar issues:
- Ms. Taylor's evidence and actions made it clear that she believes the Registrar has no right to make detailed inquiries as to her proposed plan. That belief is mistaken. The Act not only gives the Registrar the legal authority to inquire, it is obligated to do so in order to fulfil its mandate of protecting the public interest. Regulation 801, s.13(10) gives the Registrar specific authority to request further information from any applicant.
- [30] I also find that the documents requested by the Registrar are relevant to meet its obligations under s. 6 of the *Act* as this was a reapplication for the applicants and Samadzadeh's financial situation needed to be reviewed. If the financial information (when provided) leads to the conclusion that the applicants cannot be reasonably expected to be financially responsible in the conduct of the business, then the applicants would be properly denied registration. Thus far, the absence of the financial information from the applicants does not lead to a conclusion one way or the other. However, the Registrar must do its due diligence and evaluate

necessary documents to make its determination. But that is not the end of the analysis.

- [31] I find the *Act* not only gives the Registrar the legal authority to request financial documents, but it is obligated to do so to fulfil its mandate of protecting the public interest,
- [32] I agree with the Registrar that an NOA is relevant to evaluate the applicants' financial position and the source of funding. I also agree that bank statements can demonstrate financial stability or instability and are therefore relevant to the application.
- [33] I find the applicants have not complied with the Registrar's request under s. 6(1.1) of the *Act*, and that is enough to disentitle them to registration under s. 6(1)(g).

## CONCLUSION

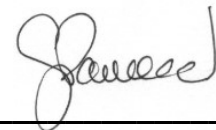
- [34] I find that the Registrar has established that Samadzadeh's failure to provide information specified by the Registrar pursuant to s. 6(1.1) of the *Act* disentitles him and Standard to registration pursuant to s. 6(1)(g) of the *Act*.

## ORDER

- [35] Pursuant to s. 9(5) of the *Act*, the Tribunal directs the Registrar to carry out the NOP to refuse the registration of Standard as a motor vehicle dealer and Samadzadeh as a motor vehicle salesperson.

**Released: August 5<sup>th</sup>, 2025**

**LICENCE APPEAL TRIBUNAL**



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**Geneviève Painchaud  
Vice-Chair**