

## DISCIPLINE DECISION

REVIEWING PANEL: Greg Flude, Public Member  
Jon Lemaire, Registrant Member  
Joe Malfara, Registrant Member

IN THE MATTER OF A DISCIPLINE HEARING HELD PURSUANT TO THE MOTOR  
VEHICLE DEALERS ACT, 2002, S.O. 2002, c.30, Sch. B

B E T W E E N :

ONTARIO MOTOR VEHICLE )  
INDUSTRY COUNCIL )  
- and - )  
2198757 ONTARIO LIMITED )  
o/a AUTOBASE )  
- and - )  
ALEXANDER YAKHNIN )  
)

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This matter proceeded by way of Rule 1.07 of the Rules of Practice before the Discipline Tribunal and the Appeals Tribunal. This Reviewing Panel has reviewed and considered written materials from the Parties together with a waiver of the requirement for an oral hearing and hereby makes the following Order:

**Date of Decision:** September 10, 2025

**Findings:** **2198757 Ontario Limited o/a Autobase (the “Dealer”) has breached the following:**

- Sections 4(2) and 9(3) of the Code of Ethics, O. Reg. 332/08

**Alexander Yakhnin (“Yakhnin”) has breached the following:**

- Sections 6(2), 9(1) and 9(3) of the Code of Ethics, O. Reg. 332/08

**Order:**

1. The Dealer shall pay a fine in the amount of **\$2,500** no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
2. Alexander Yakhnin shall successfully complete the MVDA Key Elements Course no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
3. The Dealer shall offer to all current and future salespersons, employed by the Dealer, to fund their completion of the MVDA Key Elements Course, no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order

**Overview**

This matter proceeded on the basis of an Agreed Statement of Facts, dated August 21, 2025, a jointly proposed disposition and a waiver of oral hearing, pursuant to Rule 1.07 of the Rules of Practice before the Discipline Tribunal and the Appeals Tribunal. The Agreed Statement of Facts states in relevant part as follows:

**Withdrawals:**

The allegation contained in paragraph 8 of the Notice of Referral to Discipline dated May 5, 2025 is withdrawn.

**Background:**

1. The Dealer was first registered as a motor vehicle dealer in or around May 2009.
2. Yakhnin was first registered as a salesperson in or around December 2008. At all relevant times, Yakhnin was registered as a salesperson with the Dealer and was the Person in Charge of the day-to-day activities of the Dealer to ensure compliance with the Act and Regulations thereunder.

**OMVIC Registrant Education re: All-in Pricing:**

3. Since the Act was proclaimed in 2010, OMVIC has issued various educational materials, including publications, webinars, and guidelines, reminding registrants of their all-in pricing obligations. Educational materials continue to be available on OMVIC's website.

**Dealer's Non-Compliance:****All-in pricing violation**

4. On or before December 2, 2024, the Dealer published an advertisement for a 2021 Audi Q5 (VIN\*\*\* 041762) ("2024 Audi"), with an advertised price of \$30,888 plus sales taxes and licensing.
5. On or before December 2, 2024, a consumer visited the premises of the Dealer interested in buying the 2021 Audi. On the same day, the consumer signed a bill of sale for the purchase of the 2021 Audi and was charged \$33,999 plus an additional administration fee of \$899. A total charge of \$4,010 was added to the advertised price.

6. On or about December 13, 2025, the consumer reached out to the Dealer requesting the refund of the \$4,010 charge added to the advertised price. The Dealer agreed to refund \$3,500 but refused to refund the \$899 administration fee.
7. On or about January 31, 2025, a representative of the Registrar contacted the Dealer and spoke with Yakhnin, requesting the refund of the \$899 administration fee to the consumer. The Dealer refused to refund the fee.
8. As a result, the Dealer's advertised vehicle price was not all-inclusive. In doing so, the Dealer contravened section 36(7) of Ontario Regulation 333/08 and, therefore, violated section 4(2) and 9(3) of the Code of Ethics.
9. After the Notice of Referral to Discipline was issued, the Dealer refunded the administration fee in full to the consumer.

**Yakhnin's Non-compliance:**

10. Yakhnin failed to ensure that the Dealer conducted its business in compliance with the Act, its Regulations, and the Code of Ethics and thus personally contravened sections 6(2), 9(1) and 9(3) of the Code of Ethics.
11. As particularized above, the Dealer has violated the following section of the Code of Ethics:

***Disclosure and marketing***

**4.** (2) A registrant shall ensure that all representations, including advertising, made by or on behalf of the registrant in connection with trading in motor vehicles, are legal, decent, ethical and truthful.

12. As particularized above, the Dealer and Yakhnin have violated the following section of the Code of Ethics:

***Professionalism***

**9.** (3) A registrant shall use the registrant's best efforts to prevent error, misrepresentation, fraud or any unethical practice in respect of a trade in a motor vehicle.

13. As particularized above, Yakhnin has violated the following section of the Code of Ethics:

***Accountability***

**6.** (2) A registered salesperson shall not do or omit to do anything that causes the registered motor vehicle dealer who employs or retains the salesperson to contravene this Regulation or any applicable law with respect to trading in motor vehicles.

***Professionalism***

9. (1) In carrying on business, a registrant shall not engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as disgraceful, dishonourable, unprofessional or unbecoming of a registrant.

### **Decision of the Reviewing Panel**

Having reviewed and considered the Agreed Statement of Facts and written submissions provided by the Parties, the Reviewing Panel is satisfied that the evidence contained in the Agreed Statement of Facts substantiates the allegations that: (1) the Dealer has breached Sections 4(2) and 9(3) of the Code of Ethics, O. Reg. 332/08; and (2) Yakhnin has breached Sections 6(2), 9(1) and 9(3) of the Code of Ethics, O. Reg. 332/08.

The Reviewing Panel accepted the parties' proposed resolution for the reasons below.

### **Reasons for Decision**

The Reviewing Panel has considered the proposed resolution. It finds that the penalty achieves the goals of adequate punishment for the offence, specific deterrence of the Dealer and Yakhnin against future breaches of the code of ethics, and general deterrence for the industry showing that such breaches are considered serious and will be treated accordingly. There is a provision for further education that addresses the remediation goals of disciplinary action. In this particular matter, the parties agreed to the resolution. The Reviewing panel finds that the resolution is within the range of penalties for similar acts in other matters before this Tribunal and is not contrary to the public interest.

Ontario Motor Vehicle Industry Council  
Discipline Tribunal

Dated: September 10, 2025



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Greg Flude, Public Member  
On behalf of:

Jon Lemaire, Registrant Member  
Joe Malfara, Registrant Member