

DISCIPLINE DECISION

REVIEWING PANEL: Sherry Darvish, Public Member
Anne French, Registrant Member
Jon Lemaire, 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 -)
BRESLAU AUTO SALES LTD.)
- and -)
MOHD-NOUR AL-KURDI)
)

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: December 11, 2025

Findings: **Breslau Auto Sales Ltd. (the “Dealer”) has breached the following:**

- Sections 7(1), 9(1) and 9(3) of the Code of Ethics, O. Reg. 332/08

Mohd-Nour Al-Kurdi (“Al-Kurdi”) 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. Al-Kurdi 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 November 5, 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:

Background

1. The Dealer was first registered as a motor vehicle dealer in or about June 2021.
2. Mohd-Nour Al-Kurdi ("Al-Kurdi") was first registered as a salesperson in or about June 2021. At all material times, Al-Kurdi has been the Person in Charge of the day-to-day activities of the Dealer.

Dealer's Non-Compliance

3. On or about October 25, 2023, a consumer purchased a 2013 Ford Edge (VIN ***C47112) from the Dealer. At the time of purchase, the Dealer provided the consumer with a Carfax report dated October 3, 2023.
4. On or about April 2025, the consumer visited another dealership with the intention of trading in the 2013 Ford Edge. During this visit, the consumer was presented with a more recent Carfax report, which indicated that 2013 Ford Edge had been listed at auction with structural damage on October 18, 2023.
5. The Carfax report provided by the Dealer at the time of sale was dated October 3, 2023, and therefore did not include the structural damage reported on October 18, 2023. Moreover, the bill of sale provided by the Dealer did not disclose structural damage.
6. This is contrary to section 42(10) of O. Reg. 333/08. As such, the Dealer has contravened sections 7(1) and 9(1) and (3) of the Code of Ethics.

Al-Kurdi's Non-Compliance

7. Al-Kurdi, as a Person in Charge, 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.

Code of Ethics Violations

8. As particularized above, the Dealer has violated the following section of the Code of Ethics:

Compliance

s. 7(1) A registrant shall ensure that all documents used by the registrant in the course of a trade in a motor vehicle are current and comply with the law.

9. As particularized above, the Dealer and Al-Kurdi have violated the following section of the Code of Ethics:

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.

(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.

10. As particularized above, Al-Kurdi have 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. O. Reg. 332/08, s. 6 (2).

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 the Dealer has breached sections 7(1), 9(1) and 9(3) of the Code of Ethics and that Al-Kurdi has breached sections 6(2), 9(1) and 9(3) of the Code of Ethics.

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

Reasons for Decision

The Panel is satisfied that the agreed upon penalty of \$2,500 for failing to ensure that complete vehicle history information was included on the bill of sale is within the range of reasonable and proportionate outcomes.

In the present case, the Panel is satisfied that the proposed penalty of a fine in the amount of \$2,500 for the Dealer, plus course requirements for remedial effect would be in the public

interest. The course requirements address the Respondents' conduct violations and reinforms them of their obligations under the *MVDA*. The proposed penalty serves to deter the Respondents from future non-compliance.

The Panel accepts as a mitigating factor that this is the Respondent's first time before the Discipline Tribunal. Additionally, the Panel acknowledges the diligent efforts on the part of the parties to reach a settlement agreement, saving the time and expense of a contested hearing.

The Panel is therefore satisfied that the agreed upon penalty satisfies the sentencing principles of specific and general deterrence, maintains public trust, meets the objectives of rehabilitation and remedial action, and that the proposed penalty is in the public interest.

Ontario Motor Vehicle Industry Council
Discipline Tribunal

Dated: December 11, 2025

_____ S. Darvish _____
Sherry Darvish, Public Member

On behalf of:
Anne French, Registrant Member
Jon Lemaire, Registrant Member