

DISCIPLINE COMMITTEE OF THE ONTARIO MOTOR VEHICLE INDUSTRY COUNCIL

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

BETWEEN:

REGISTRAR, MOTOR VEHICLE DEALERS ACT, 2002

- and -

**2129893 ONTARIO INC o/a
DELUXE MOTORSPORTS GROUP**

- and -

OMID HAMIDZADEH FARD

AGREED STATEMENT OF FACTS AND PENALTY

2129893 Ontario Inc o/a Deluxe Motorsports Group and Omid Hamidzadeh have breached the following:

Section 4 of the Code of Ethics, Regulation 332/08

Section 9 of the Code of Ethics, Regulation 332/08

SUMMARY OF AGREEMENT

The parties to this proceeding agree that:

1. 2129893 Ontario Inc o/a Deluxe Motorsports Group (the "Dealer") was first registered as a motor vehicle dealer in about November 2016. Omid Hamidzadeh Fard ("Fard") was first registered as a motor vehicle salesperson in about September 2000. At all material times, Fard was the sole officer and Person in Charge of the Dealer.





Registrant's Initials

2. Fard successfully completed the Automotive Certification Course on or about August 9, 2016.
3. On about November 17, 2016, Fard executed terms and conditions of registration on behalf of the Dealer. Per condition 1, the Dealer agreed to comply with the Code of Ethics as set out in Regulation 332/08 and the Standards of Business Practice, as may be amended from time to time. Moreover, the Dealer also agreed to read all correspondence and bulletins released by the Ontario Motor Vehicle Industry Council (OMVIC).

OMVIC Publications:

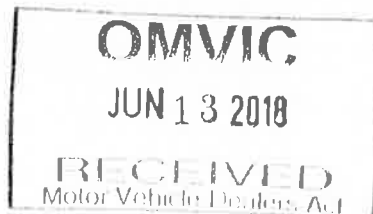
4. Since the Act was proclaimed, OMVIC has issued numerous Dealer Standard publications reminding dealers of the requirement to advertise all inclusive vehicle prices ("all-in pricing"). Specifically, the following publications have been issued by OMVIC since the Dealer became registered in the industry:
 - a. Issue #4 2016
 - b. Issue #2 2017
5. Furthermore, OMVIC also issued the following recent bulletins which reminded dealers of their all-in pricing advertising obligations:
 - a. July 2017
 - b. August 2017

Direct Correspondence with Dealer:

6. During a new dealer inspection on or about November 29, 2016, a representative of the Registrar discussed the advertising regulations with Fard, on behalf of the Dealer.

Consumer complaint:

7. On or before October 16, 2017, the Dealer advertised a 2010 Mercedes Benx GLK (Stock #D0227T) with a selling price of \$17,999 plus tax and licensing fees. On this same date, a consumer made inquiries about this vehicle. Fard, on behalf of the Dealer, advised the consumer that the advertised vehicle price did not include the following non-negotiable extra fees:
 - a. \$690 safety
 - b. \$199 licensing
 - c. \$10 OMVIC fee
8. As such, the Dealer's advertised price was not all-inclusive, contrary to section 36(7) of Regulation 333/08, as well as sections 4 and 9 of the Code of Ethics.

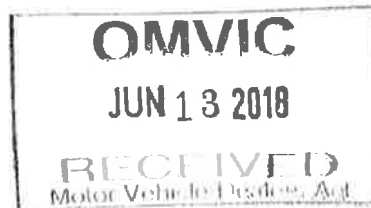




Registrant's Initials

clause does not apply to sales staff who have already completed the course or who are otherwise not required to complete the course pursuant to the Act.

5. The Dealer and Fard agree to comply with the Act and the Standards of Business Practice, as may be amended from time to time.



RAF

Registrant's Initials

By signature below, I acknowledge that I have read and understand the penalty outlined herein and agree to the said terms and/or conditions and that I exercised my right to be represented by Counsel or agent in this matter. I understand, acknowledge and consent to waive the requirement for a hearing and to request an Order from the Chair of the Discipline Committee that includes this Agreed Statement of Facts and Penalty as a final settlement of this matter.

DATED AT Delux THIS 11 DAY OF June, 2018

[Handwritten Signature]

Omid Hamidzadeh Fard

[Handwritten Signature]

(signature)

By signature below, I acknowledge that I have read and understand the penalty outlined herein and agree to the said terms and/or conditions and that I exercised my right to be represented by Counsel or agent in this matter. I understand, acknowledge and consent to waive the requirement for a hearing and to request an Order from the Chair of the Discipline Committee that includes this Agreed Statement of Facts and Penalty as a final settlement of this matter.

DATED AT Delux THIS 11 DAY OF June, 2018

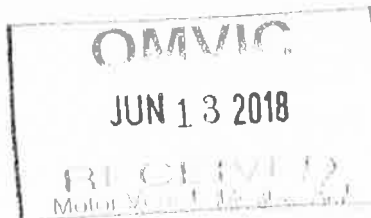
Amel Fard

(please print)

[Handwritten Signature]

(signature)

I have the authority to bind the corporation:
2129893 Ontario Inc o/a Delux Motorsports Group



By signature below the Registrar agrees, acknowledges, understands and consents to the final settlement of this matter by way of this Agreed Statement of Facts and Penalty.

DATED AT Toronto AK THIS 15 DAY OF June, 2018

John Carmichael, Andrea Korth

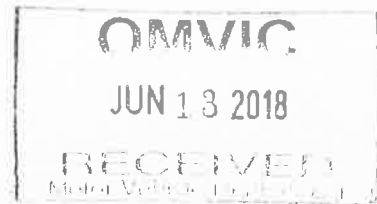
Per Registrar, Motor Vehicle Dealers Act, 2002

Pursuant to Rule 1.07, I accept this Agreed Statement of Facts and Penalty from the Parties Identified above:

DATED AT ANCASTER THIS 21st DAY OF JUNE, 2018

Paul Burroughs

Paul Burroughs
Chair, Discipline Committee of the
Ontario Motor Vehicle Industry Council



AK

Registrant's Initials