

**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 -**

**BOUTROS ISHAK o/a CEDARVILLE AUTO**

**AGREED STATEMENT OF FACTS AND PENALTY**

Boutros Ishak o/a Cedarville Auto has breached the following:

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

**SUMMARY OF AGREEMENT**

The parties to this proceeding agree that:

1. Boutros Ishak o/a Cedarville Auto (the "Dealer") was registered as a motor vehicle dealer in or around December 2014.
2. The Dealer's registered location is 6295 Mississauga road, Mississauga, Ontario.

**Dealer non-compliance**

3. On or about March 30, 2016, a representative of the Registrar contacted the dealer, while posing as a member of the public, and enquired about an advertised vehicle of the dealer's.
4. The representative asked the dealer where it would be possible to view the vehicle. The Dealer invited the representative to view the vehicle at the Sheridan Mall located at 2255 Erin Mills Parkway.
5. 2255 Erin Mills Parkway is not the registered location of the Dealer.
6. This is contrary sub section 28 of Regulation 333/08, as well as section 9 of the Code of Ethics.

B.I.

7. Subsequent to the NOC being issued, the Dealer has since taken administrative steps to prevent further examples of non-compliance.

8. The Dealer sold two vehicles to retail customers in 2015.

By failing to comply with the following sections of the *Motor Vehicle Dealers Act, 2002*

Regulation 333/08:

**28 (4)** Except for advertising, a registered motor vehicle dealer other than a motor vehicle dealer registered only as a broker shall not trade except from a place authorized by the dealer's registration.

It is thereby agreed that the Dealer has breached the following section of the Code of Ethics, as set out in Regulation 332/08:

9. 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.

**JOINT SUBMISSION ON PENALTY:**

1. The Dealer agrees to pay a fine in the amount of \$250.00 within 90 days of the date of the Discipline Committee Order.
2. Boutros agrees to successfully complete the OMVIC certification course **in person** within 6 months of the date of the Discipline Committee Order.
3. The Dealer agrees to comply with the Act and Standards of Business Practice, as may be amended from time to time.

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B.I.  
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 Toronto THIS 30<sup>th</sup> DAY OF Sept, 2016

BOUTROS ISHAK

(please print)

Ishak

(Boutros Ishak o/a Cedarville Auto)

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 THIS 30<sup>th</sup> DAY OF September, 2016

Mary Jane South

PEJ Mary Jane South,  
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 20<sup>th</sup> DAY OF October, 2016

Paul Burroughs

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

B.I. <sup>3</sup>

Registrant's Initials