

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 -

HAMMEED ABED

AGREED STATEMENT OF FACTS AND PENALTY

Hameed Abed 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. Hameed Abed ("Abed") is a motor vehicle salesperson who was first registered in or around September 2012.
2. On or about May 24, 2012, Abed was charged with an offense requiring disclosure, as per question 8 of the salesperson application.
3. On or about September 17, 2012, Abed submitted a salesperson application.
4. On the September 17, 2012, salesperson application, question 8 asks: "Has the applicant ever been found guilty or convicted of an offence under any law or are there charges pending? Make sure to include those cases with a conditional, absolute discharge or stayed charges. Please note: This question refers to charges under any law. Accordingly, you may need to answer "yes" even if a criminal record (or other) check has come back clean. Abed answered "no" to this question, contrary to section 9 of the Code of Ethics.
5. On or about February 4, 2013, Abed was found guilty of an offense.
6. On or about July 24, 2014, Abed submitted a renewal application. Under "Eligibility" the fifth question asks: "Have you ever been found guilty or convicted of an offence under any law or are there charges pending? Make sure to include those cases with a conditional, absolute discharge or stayed charges. Please note: This question refers to charges under any law. Accordingly, you may need to answer "yes" even if a criminal record (or other) check has come back clean. Abed answered "no" to this question, contrary to section 9 of the Code of Ethics.

HA
Registrant's Initials

7. Abed agrees he will provide the Registrar with full and complete disclosure in all future correspondence and on all future applications, regardless of whether or not disclosure has been made previously to the Registrar.

It is thereby agreed that Abed 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. Abed agrees to pay a fine in the amount of \$1,000 within 90 days of the date of the Discipline Committee Order.
2. Abed agrees to comply with the Act and Standards of Business Practice, as may be amended from time to time.

HA
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 Windsor THIS 24 DAY OF June, 2015

Hameed Abed

(please print)
Hameed Abed

Hameed M
(signature)

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 20th Toronto THIS 29th DAY OF June, 2015

[Signature]

as per
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 London THIS 29 DAY OF June, 2015

C Poultney

Catherine Poultney
Chair, Discipline Committee of the
Ontario Motor Vehicle Industry Council