

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 -)
GCB B AUTO LTD. o/a GEORGIAN)
CHEVROLET BUICK GMC)
- and -)
STEVEN RABEY)
)

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: **GCB B Auto Ltd. o/a Georgian Chevrolet Buick GMC (the “Dealer”) has breached the following:**

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

Steven Rabey (“Rabey”) has breached the following:

- Sections 4(2), 6(2) and 9(3) of the Code of Ethics, O. Reg. 332/08

Order:

1. The Dealer shall pay a fine in the amount of **\$5,000** no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
2. Rabey 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 October 24, 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 allegations against Colten Todd Allinger and contained in paragraphs 2 and 10 of the Notice of Referral to Discipline ("NORD") dated March 11, 2025 are withdrawn.

Background

1. The Dealer was first registered as a motor vehicle dealer in or around February 2023.
2. Rabey was first registered as a salesperson in and around September 2022. At all material times, Rabey has been a salesperson of the Dealer.

OMVIC Publications

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.

Direct Correspondence with Dealer

4. As a result of the findings during a mystery shop conducted on or about May 29, 2024, the Registrar issued a warning letter to the Dealer on June 4, 2024, reminding the Dealer to comply with its all-in pricing obligations under the Act and related Regulations.

Dealer's Non-Compliance

5. During an inspection on or about November 12, 2024, a representative of the Registrar (the "Inspector"), attended the premises of the Dealer for an inspection of its books and records.

6. It was discovered that on or before October 12, 2024, the Dealer published an advertisement for a 2019 GMC Sierra 1500 SLE, stock #Q014281A (VIN*** 415400) with an advertised price of \$36,980.
7. On or about October 12, 2024, the Dealer sold the vehicle to a consumer. The vehicle purchase agreement indicated that the vehicle was sold for a base price of \$36,980 plus the following additional fees, which would have been required:
 - a. OMVIC fee \$10
 - b. Administrative fee \$599
 - c. Gasoline \$100
8. The combined cost of these mandatory fees and the base price amount to \$37,689, which is \$709 more than the advertised price.
9. As a result, the Dealer failed to comply with its all-in pricing obligations and thereby breached section 36(7) of O. Reg. 333/08, and therefore, the Dealer violated sections 4(2) and 9(3) of the Code of Ethics.

Rabey's Non-Compliance

10. On or about October 12, 2024, Rabey acted as the salesperson in the trade of the vehicle and represented the mandatory additional fees to the consumer as part of the terms of the trade.
11. In regard to the above-noted vehicle, Rabey engaged in the trade of a vehicle in a manner that is contrary to sections 4(2) and 9(3) of the Code of Ethics and also caused the Dealer to contravene the Act, its regulations, and the Code.

Code of Ethics Violations

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

Disclosure and marketing

- s. 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

Professionalism

- s. 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, Rabey has violated the following section of the Code of Ethics:

Accountability

s. 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.

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 breached sections 4(2) and 9(3) of the Code of Ethics and that Rabey breached sections sections 4(2), 6(2) and 9(3) of the Code of Ethics.

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

Reasons for Decision

In arriving at its decision, the Panel reviewed the facts of this case, submitted case law and decisions of the Discipline and Appeals Tribunal.

The Panel accepts as mitigating factors that this is the Respondents' first time before the Tribunal, and that there have been diligent efforts on the part of the parties to reach a settlement agreement, saving the time and expense of a contested hearing. The Panel accepts the submission that the Respondents have taken responsibility for their misconduct and are committed to ensuring future compliance with the MVDA and other regulations.

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. The Panel therefore accepts the joint submission.

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