



Citation: SAS Automotive Solutions Inc. o/a Approval Capital, and Nouman Khan v. Registrar, *Motor Vehicle Dealers Act, 2002*, 2025 ONLAT MVDA 17935

Licence Appeal Tribunal File Number: 17935/MVDA

In the matter of an appeal from a Notice of Proposal to Revoke Registration under section 9 of the *Motor Vehicle Dealers Act, 2002*, S.O. 2002, c. 30, Sch. B (the “Act”), and an Immediate Temporary Suspension Order Issued under section 10 of the *Act*.

Between:

SAS Automotive Solutions Inc. o/a Approval Capital, and Nouman Khan

Appellants

and

Registrar, *Motor Vehicle Dealers Act, 2002*

Respondent

DECISION and ORDER

ADJUDICATOR: Rebecca Hines, Member

APPEARANCES:

For the Appellant: Nouman Khan, Appellant
Michael Burokas, Counsel

For the Respondent: Nanieka Narang, Counsel

Held by videoconference: November 17, 2025

OVERVIEW

- [1] On October 24, 2024, the Registrar under the *Act*, (the “Registrar”) issued a Notice of Proposal to Revoke Registration (“NOP”) under s. 9 of the *Motor Vehicle Dealers Act, 2002*, S.O. 2002, c. 30, Sch. B (the “Act”), and an Immediate Temporary Suspension Order (“ITSO”) under s. 10 of the *Act* to the appellants, SAS Automotive Solutions Inc. o/a Approval Capital with respect to its registration as a motor vehicle dealer, and to Nouman Khan, in respect of his registration as a motor vehicle salesperson.
- [2] The appellants appealed the NOP to the Licence Appeal Tribunal (“the Tribunal”) on November 3, 2025.
- [3] Under section 10(3) of the *Act*, an ITSO expires 15 days after the Tribunal receives a written request for a hearing under section 9 of the *Act*, unless the Tribunal extends the time of expiration until the hearing is concluded. Section 10(3)(b) stipulates that the Tribunal may extend the expiration time of an ITSO if a hearing on the associated NOP has commenced within the 15-day period. Only then would the Tribunal have the authority to order an extension of the ITSO until the hearing is concluded.
- [4] As the Notice of Appeal was filed on November 3, 2025, 2025, the ITSO is scheduled to expire on November 18, 2025, which is tomorrow.
- [5] Both parties agreed that today’s hearing would address whether the Tribunal should extend the expiry of the ITSO until the completion of the hearing on the NOP.
- [6] At the conclusion of the hearing pertaining to the ITSO, and for clarity, I orally ordered that the ITSO continue until the hearing for the NOP is concluded.

ISSUES

- [7] As noted above, the parties agreed that issue 1 would be heard today and the balance of the substantive issues will be heard at a resumption of the hearing at a later date. The scope of substantive issues 2 through 4 was on consent.
- [8] The issues to be determined are:
 1. Whether the expiry date of immediate temporary suspension order on the appellants’ registrations should be extended until the conclusion of the hearing;

2. Whether SAS Automotive Solutions Inc o/a Approval capital is disentitled to registration because having regard to its financial position, it cannot reasonably be expected to be financially responsible for the conduct of its business and therefore, it is disentitled to registration pursuant to section 6(1)(d)(i) of the Act.
3. Whether Nouman Khan is disentitled to registration as a motor vehicle salesperson because the past conduct of Khan as the officer and person in charge of the Dealership, affords reasonable grounds for the belief that he will not carry on business in accordance with the law and with integrity and honesty and therefore, Khan and the Dealer are disentitled to registration pursuant to section 6(1)(a)(ii) and 6(1)(d)(iii) of the Act.
4. If one or both of the appellants are disentitled to registration, whether the Tribunal should direct the Registrar to carry out the proposal, or substitute its opinion for that of the Registrar, or attach conditions to its order or to a registration.

RESULT

- [9] The expiry date of the ITSO is extended to the conclusion of the hearing on the NOP. A case conference will be scheduled for the parties to discuss further procedural elements of the continuation of the hearing. The hearing is adjourned and will be resumed at a future date determined by the Tribunal.

ANALYSIS

Extension of the ITSO

- [10] I find that the ITSO should be extended pursuant to section 10(3) of the *Act* until the conclusion of the hearing for the NOP.
- [11] The Registrar bears the onus to establish that it is in the public interest that the ITSO be extended pending the outcome of the hearing of the appeal of the NOP. To satisfy its onus, the Registrar must establish that the conduct on which it relies occurred and forms a reasonable basis for the NOP and that the nature of the conduct and the circumstances are such that it is a matter of public interest that the registration remain suspended pending the outcome of the NOP hearing. The Registrar requested that the ITSO be extended until the conclusion of the hearing on the NOP.
- [12] In this case, the appellant consents to the extension of the ITSO pending the conclusion of the hearing on the NOP.

[13] Since both parties agree on the extension of the ITSO I find no reason to interfere. Consequently, I grant both parties' request to extend the expiry of the ITSO until the conclusion of the hearing pursuant to s. 10(3) of the *Act*.

[14] A case conference shall be scheduled to permit the parties to disclose documents, receive any new information on the progress of the intended purchase and sale of the dealership, discuss settlement of the issues in dispute, and, if necessary, the further procedural elements of the resumption of the hearing.

[13] The hearing will be resumed at a later date(s) pursuant to this order.

ORDERS

[14] The ITSO is extended pursuant to section 10(3) of the *Act* until the conclusion of the hearing on the NOP.

[15] A 2-hour case conference shall be scheduled on one of either **December 1, 8, 9, 2025** at **9:00, 11:00, 1:00 or 3:00**.

[16] The Tribunal will issue a Notice of Case Conference to the parties to confirm the specific date and time.

[17] The continuation of the hearing is adjourned and will be rescheduled at the case conference.

Other Procedural Issues

[18] The Licence Appeal Tribunal Rules 2023 apply to this appeal, except where varied by an order of the Tribunal.

[19] If the parties reach an agreement on the issues in dispute prior to the scheduled case conference, they shall immediately advise the Tribunal. The appellants must then file a Notice of Withdrawal with the Tribunal and serve a copy of that Notice to the respondent. the Tribunal will thereafter cancel the case conference and hearing and close the file.

[20] Nothing in this Order affects any requirement under the *Act*.

Released: November 18, 2025



**Rebecca Hines
Adjudicator**