

DISCIPLINE DECISION

REVIEWING PANEL: Sherry Darvish, Public Member
Chris Pinelli, Registrant Member
Paul Repar, 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 -)
WHITBY-OSHAWA IMPORTS LTD.)
O/A WHITBY OSHAWA HONDA)
- and -)
MILAT (MARCO) FAKHR)
- and -)
IFTIKHAR KHALIQ)
)

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: March 13, 2026

Findings: **Whitby-Oshawa Imports Ltd. o/a Whitby Oshawa Honda (the “Dealer”)** has breached the following:

- Sections 4(2), 6(1), and 9(3) of the Code of Ethics, O. Reg. 332/08

Milat (Marco) Fakhri has breached the following:

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

Iftikhar Khaliq has breached the following:

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

Order:

1. Whitby-Oshawa Imports Ltd. o/a Whitby Oshawa Honda (the “Dealer”) shall pay a fine in the amount of **\$5,000** to be paid no later than ninety (90) calendar days from the date of the Discipline Tribunal’s Order.
2. The Dealer shall **offer** to all current and future salespersons, employed by the Dealer, to **fund** their completion of the Automotive Certification Course, no later than ninety (90) calendar days from the date of the Discipline Tribunal’s Order.
3. Milat (Marco) Fakhri shall successfully complete (with a passing grade of at least 80%) the MVDA Key Elements Course, no later than ninety (90) calendar days from the date of the Discipline Tribunal’s Order.
4. Iftikhar Khaliq shall pay a fine in the amount of **\$500** to be paid no later than ninety (90) calendar days from the date of the Discipline Tribunal’s Order.
5. Iftikhar Khaliq shall successfully complete (with a passing grade of at least 80%) 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 December 12, 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 contained in paragraphs 6 and 9-12 of the Notice of Referral to Discipline dated November 3, 2025, are withdrawn.

Background

1. Whitby-Oshawa Imports Ltd. o/a Whitby Oshawa Honda (“the Dealer”) was first registered as a motor vehicle dealer under the Act in and around June 1993.
2. Iftikhar Khaliq (“Khaliq”) was first registered as a salesperson under the Act in and around October 2009. At all material times, he has been the Person in Charge to the day-to-day activities of the Dealer.

3. Milat (Marco) Fakhri ("Fakhri") was first registered as a salesperson under the Act in and around October 2022. He was employed by the dealer from June 3, 2024, to July 30, 2025.

Dealer's Non-Compliance:

4. On or before June 23, 2025, the Dealer advertised a 2025 Honda Civic (VIN: *3767) on its website, listing the vehicle under its new car inventory with an advertised selling price of \$38,950.00. The advertisement indicated the vehicle's odometer reading at 3,141 kilometers.
5. On or about June 23, 2025, an OMVIC Representative (the "Representative") attended the Dealer's premises and made inquiries regarding the 2025 Honda Civic, while posing as a member of the public (also known as a 'mystery shop'). The Representative met with Fakhri.
6. Fakhri, acting on behalf of the Dealer, informed the Representative that additional required fees would be added above the advertised price: a pre-tax dealership fee and a combined security and administration fee, totaling \$2,000.
7. Fakhri also disclosed that the vehicle had been used to "shuttle customers" at the dealership and described it as a "demo" vehicle. The Representative questioned about why it was advertised as a "new" vehicle. Fakhri failed to provide a response.
8. A review of the vehicle's Carfax Report indicated it had previously been involved in an accident and had sustained moderate damage to the left rear.
9. Fakhri provided a written quote to the Representative. The vehicle's selling price, before taxes and licensing, was \$40,950.00. The quote further confirmed the addition of the required fees of \$2,000.
10. Therefore, the advertised price of \$38,950 was not all-inclusive, in contravention of section 36(7) of O. Reg. 333/08 as well as sections 4(2) and 9(3) of the Code of Ethics.
11. Additionally, advertising the vehicle as brand new was false and misleading contrary to section 36(6) of O. Reg. 333/08, section 28 of the Act as well as sections 4(2) and 9(3) of the Code of Ethics.
12. The Dealer failed to ensure its salesperson, Fakhri, carried out his duties in compliance with the Code of Ethics, and thereby the Dealer breached section 6(1) of the Code of Ethics.

Khaliq's Non-Compliance:

13. Khaliq, as the Person in Charge, failed to ensure that the Dealer operated in accordance with the Act, its regulations, or the Code of Ethics. As a result, Khaliq personally contravened sections 6(2) and 9(3) of the Code.

Fakhri's Non-Compliance:

14. Fakhri participated in the trade of a motor vehicle in a manner contrary to sections 4(2) and 9(3) of the Code of Ethics.

15. Fakhri's actions also caused the Dealer to violate the Act, its regulations, and the Code of Ethics, and thereby Fakhri personally contravened sections 6(2) and 9(3) of the Code.

Generally

16. The above-named parties have indicated to the Registrar, that proactive steps have been taken to ensure that Fakhri and Khaliq and other salespersons are aware of the all-in pricing requirements and have taken steps to ensure that motor vehicle trades are conducted in accordance with those requirements.

Code of Ethics Violations

17. As particularized above, the Dealer has 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.

Accountability

- s. 6(1) A registered motor vehicle dealer shall ensure that every registered salesperson that the dealer employs or retains to act as a salesperson carries out his or her duties in compliance with this Regulation.

18. As particularized above, the Dealer, Khaliq, and Fakhri have violated the following section of the Code of Ethics:

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.

19. As particularized above, Khaliq and Fakhri have 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:

- a. the Dealer has breached Sections 4(2), 6(1), and 9(3) of the Code of Ethics,
- b. Milat (Marco) Fakhri has breached Sections 6(2) and 9(3) of the Code of Ethics, and
- c. Iftikhar Khaliq has breached Sections 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 deciding to accept the penalty, the Panel was cognizant of the fact that the mitigating factors in this case included that the registrants have taken remedial measures to ensure that no future similar violations of the Code of Ethics occur, and the registrants have accepted responsibility for the violations and admitted liability. The Panel notes that the penalty is within the acceptable range of penalties for similar violations of the Code of Ethics and it will serve as a deterrent for future conduct by the registrants and others. The Panel is satisfied that the penalty is in the public interest and it does not bring the administration of justice into disrepute.

Dated: March 13, 2026

Ontario Motor Vehicle Industry Council
Discipline Tribunal

S. Darvish
Sherry Darvish, Public Member

On behalf of:
Chris Pinelli, Registrant Member
Paul Repar, Registrant Member