

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

PAULETTE AUTO SALES LTD

- and -

BRADLEY PAULETTE

- and -

BRIAN DOYLE

- and -

MICHAEL CAMPBELL

AGREED STATEMENT OF FACTS AND PENALTY

Paulette Auto Sales Ltd, Brian Boyle, Michael Campbell and Bradley Paulette have breached the following:

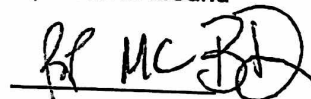
Sections 6, 8, and 9 of the Code of Ethics, Regulation 332/08

SUMMARY OF AGREEMENT

The parties to this proceeding agree that:

Background:

1. Paulette Auto Sales Ltd (the "Dealer") was first registered as a motor vehicle dealer in around February 2016.
2. Bradley Paulette ("Paulette") was first registered as a motor vehicle salesperson in or around March 2013.
3. Brian Doyle ("Doyle") was first registered as a motor vehicle salesperson in around November 2005.



initials

4. Michael Campbell ("Campbell") was first registered as a motor vehicle salesperson in around April 2018.
5. At all material times, Paulette was the Director, as well as the person in charge of the day-to-day activities at the Dealer.
6. At all material times Doyle was the sales manager, and Campbell was a salesperson at the Dealer.
7. On or about April 5, 2018, Campbell successfully completed the Automotive Certification course (the "Course").
8. On or about March 7, 2019, Paulette successfully completed the Course.
9. The Code of Ethics is included in the Course syllabus.


Offensive advertisement:

10. During the afternoon of Friday April 23, 2021, while working for the Dealer, Boyle and Campbell produced a mock vehicle video advertisement for a vehicle in the Dealer's inventory ("Video").
11. The Video contains language and actions which could reasonably be regarded as insulting to human dignity and integrity, and its contents would reasonably be regarded as offensive. This is contrary to sections 8 and 9 of the Code of Ethics.
12. The Video was subsequently posted to social media and made it into the public domain.
13. On or about May 4, 2021, the subject advertisement was removed from social media.
14. Paulette failed to ensure the Dealer and its employees comply with the Code of Ethics, contrary to sections 6 and 9 of the Code of Ethics.
15. Boyle and Campbell's conduct has caused the Dealer to breach the Code of Ethics, and thus both Boyle and Campbell have personally breached sections 6, 8, and 9 of the Code of Ethics.

It is thereby agreed that Paulette, Boyle, and Campbell have breached the following sections of the Code of Ethics, ON Regulation 332/08:

Respect

8. (1) *In carrying on business, registrants shall not engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as insulting to human dignity*

A handwritten signature in black ink, appearing to be 'H. M. D.', written over a horizontal line.

or integrity and shall not use symbols that, having regard to all of the circumstances, would reasonably be regarded as offensive.

and

Professionalism

9. (1) 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:

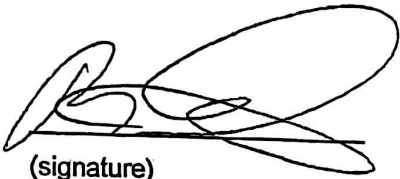
1. Boyle agrees to pay a fine in the amount of \$3,500 no later than **March 31, 2022.**
2. Campbell agrees to pay a fine in the amount of \$3,500 no later than **March 31, 2022.**
3. The Dealer agrees to pay a fine in the amount of \$8,000.00 no later than **March 31, 2022.**
4. The Dealer agrees all staff employed by the Dealer will attend a Registrar approved workplace sensitivity course. The details of the course will be agreed to by the parties in an undertaking. The Dealer will incur all costs associated with this course. The Dealer will ensure staff have completed this course no later than **March 31, 2022,** subject to course availability, and any pandemic related disruptions which may occur. The Dealer will provide the Registrar with verification of completing the course within **10 days** of the date of completion.
5. The Dealer, Paulette, Doyle, and Campbell, agree to comply with the Act and Standards of Business Practice, as may be amended from time to time.

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 Kingston THIS 16th DAY OF MARCH, ~~2021~~ 2022

(please print)



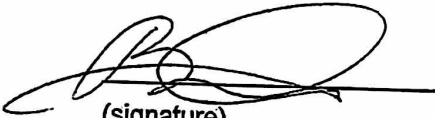


(signature)

I have authority to bind the corporation:
Paulette Auto Sales Ltd

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 Kingston THIS 16th DAY OF March, ~~2021~~ 2022

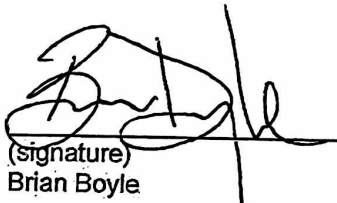


(signature)

Bradley Paulette


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 Kingston THIS 16th DAY OF March, ~~2021~~ 2022



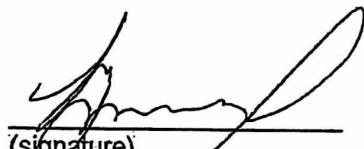
(signature)

Brian Boyle



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.

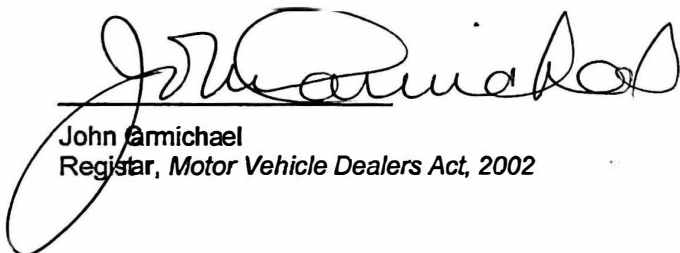
DATED AT Kingston THIS 16th DAY OF March, ~~2021~~ 2022



(signature)
Michael Campbell

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 17th DAY OF March, ~~2021~~ 2022



John Carmichael
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 19 DAY OF April, 2022



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

