



Citation: Steven Mark Butch o/a Trumpy Auto Sales, 2018 ONLAT MVDA 11363

Date: 2018-12-04  
File Number: 11363 MVDA

Appeal from a Notice of Proposal of the Registrar, *Motor Vehicle Dealers Act, 2002*,  
S.O. 2002, c. 30, Sch. B to Refuse Registration.

**Between:**

Steven Mark Butch o/a Trumpy Auto Sales

Appellant

-and-

Registrar, *Motor Vehicle Dealers Act, 2002*

Respondent

**CONSENT ORDER**

**Order Made by:** Stephen Scharbach,

**Date of Hearing:** November 19, 2018

- [1] The appellant, Steven Mark Butch o/a Trumpy Auto Sales, requested a hearing by the Tribunal of the respondent's proposal to refuse his registration as a motor vehicle salesperson under the Act.
- [2] The parties have advised me that they resolved the issues in dispute and have requested that I issue an order on consent disposing of this proceeding.
- [3] The parties filed with the Tribunal a written agreement signed by the parties on November 15, 2018 which sets out the terms of their resolution and the order requested. A copy of that agreement is attached and marked as Schedule "A".
- [4] Under that agreement, the Registrar agrees to register the appellant as a motor vehicle dealer in the wholesale class pursuant to s. 21 of Ontario Regulation 333/08 subject to the agreed conditions as noted in their signed agreement. It is also agreed that the conditions shall apply to the appellant's subsequent registrations unless amended or removed.
- [5] The Registrar reserves the right to take further administrative action arising from any matters that have or may occur related to Steven Mark Butch's honesty, integrity, financial responsibility, or compliance with conditions.
- [6] Given the parties' agreement and on their consent, pursuant to s. 9(5) of the *Motor Vehicle Dealers Act, 2002* and s. 4.1 of the *Statutory Powers Procedure Act, R.S.O., 1990, c S.22*, **I substitute my opinion for that of the Registrar and order as follows:**
- [7] The Registrar is directed to register Steven Mark Butch as a motor vehicle dealer in the wholesale class pursuant to s. 21 of Ontario Regulation 333/08 subject to the following conditions:
  - (i) Steven Mark Butch shall successfully complete, at his own expense, the Ontario Motor Vehicle Industry Council's "Automotive Certification Course" within ninety (90) days of the date of this Order.
  - (ii) Steven Mark Butch shall comply with all requirements of the MVDA, Ontario Regulation 333/08, the Code of Ethics in Ontario Regulation 332/08, and the Ontario Motor Vehicle Industry Council "Standards of Business Practices, 2010", as may be amended from time to time.

- (iii) Steven Mark Butch shall inform the Registrar within five (5) days if he is charged with, and/or found guilty or convicted of, an offence under any law other than an offence under Parts I or II of the *Highway Traffic Act*.

LICENCE APPEAL TRIBUNAL

A handwritten signature in cursive script, appearing to read "Stephen Scharbach".

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Stephen Scharbach, Member

*Released: December 4, 2018*

## SCHEDULE A

TO: Licence Appeal Tribunal  
530 - 20 Dundas Street West  
Toronto, ON M5G 2C2

FROM: The Registrar  
*Motor Vehicle Dealers Act, 2002*  
Ontario Motor Vehicle Industry Council  
65 Overlea Blvd., Suite 300  
Toronto, ON M4H 1P1

AND FROM: Steven Mark Butch o/a Trumpy Auto Sales  
2349 St. Clair Ave East  
Toronto, ON M6N 1K9

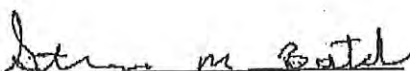
Pursuant to subsection B(2) of the *Motor Vehicle Dealers Act, 2002* (the "MVDA"), Steven Mark Butch o/a Trumpy Auto Sales ("Butch") and the Registrar, *Motor Vehicle Dealers Act, 2002*, (the "Registrar"), in accordance with section 4.1 of the *Statutory Powers Procedure Act*, do hereby waive the requirements of a hearing and consent to an Order of the Licence Appeal Tribunal based upon the following terms and conditions:

### REGISTRATION

1. Butch will be registered as a motor vehicle dealer in the wholesaler class, pursuant to section 21 of Ontario Regulation 333/08.
2. As a condition of his registration, Butch shall successfully complete the Ontario Motor Vehicle Industry Council's "Automotive Certification Course" within ninety (90) days of the coming into force of this Order. Butch shall be responsible for any costs incurred in this regard.
3. Butch shall comply with all requirements of the MVDA and Ontario Regulation 333/08, the Code of Ethics in Ontario Regulation 332/08, and the Ontario Motor Vehicle Industry Council ("OMVIC") "Standards of Business Practice, 2010", as may be amended from time to time.
4. Butch shall inform the Registrar within five (5) days if he is charged with, and/or found guilty or convicted of, an offence under any law other than an offence under Parts I or II of the *Highway Traffic Act*.
5. These conditions shall also be applied to all of Butch's subsequent registrations or renewals until they are amended or removed. At the end of a period of two (2) years from the date of this Order, Butch may apply to the Registrar to have these conditions amended or removed from his registration. The Registrar shall not unreasonably withhold consent for this request.


6. The Registrar may take further administrative action, including a proposal to suspend or revoke registration, arising from any matters that have occurred or may occur related to Butch's honesty and integrity, financial responsibility, or compliance with these conditions.

Signed in the City of Toronto this 15 day of NOV 2018.

  
Steven Butch (signature)

These Terms and Conditions are accepted by the Registrar, *Motor Vehicle Dealers Act, 2002*.

Date: Nov / 15 / 18

  
John Carmichael  
Registrar, *Motor Vehicle Dealers Act, 2002*.