

## DISCIPLINE DECISION

REVIEWING PANEL: Greg Flude, Public Member  
Paul Eros, Registrant Member  
Anne French, 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 - )  
ROADSPORT CHRYSLER )  
DODGE JEEP RAM LTD )  
)

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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:** August 12, 2025

**Findings:** **Roadsport Chrysler Dodge Jeep Ram Ltd (“the Dealer”) has breached the following:**

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

**Order:**

1. Roadsport Chrysler Dodge Jeep Ram Ltd (the “Dealer”) shall pay a fine in the amount of **\$3,500** 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 July 25, 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 Christopher Gauthier, Aneta Gauthier, and Franco Dametto contained in paragraphs 2-5,7-8, 10, and 14-16 of the Notice of Complaint (“NOC”) dated June 20, 2023 are hereby withdrawn.

The allegation against the Dealer concerning section 9(1) of the Code of Ethics, contained in paragraph 11 of the NOC, is hereby withdrawn

**Amendment:**

1. The NOC is amended to reflect that the Ontario Motor Vehicle Industry Council (“OMVIC”) replaces the Registrar, *Motor Vehicle Dealers Act, 2002* as a party to this proceeding.

**Background:**

2. Roadsport Chrysler Dodge Jeep Ram Ltd (the “Dealer”) was first registered as a motor vehicle dealer in and around August 2013.

**Educational Resources:**

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 price advertising obligations. Educational resources continue to be available on OMVIC’s website.

**Reminders to Comply:**

4. During an inspection of the Dealer on or about August 18, 2020, the Dealer was reminded of its all-in price advertising obligations.
5. By email dated October 20, 2021, the Dealer was reminded of its all-in price advertising obligations.

**Dealer’s Non-Compliance:**

6. On or before December 30, 2022, the Dealer advertised a 2022 Ram 1500 Classic (VIN# \*355290) for sale with a selling price of \$45,939 plus taxes and licensing. On or about December 30, 2022, the Dealer sold this vehicle to a consumer for \$382 above the advertised price. As such, the advertised price was not all-inclusive. This is contrary to section 36(7) of O. Reg. 333/08, as well as sections 4(2) and 9(1) of the Code of Ethics.
7. On or about January 10, 2023, the consumer who purchased the above referenced vehicle contacted OMVIC with concerns about the additional amount they had to pay for their vehicle.

8. After OMVIC became involved, the Dealer refunded the consumer the \$382 that had been charged in excess of the vehicle's advertised price.

### **Agreed Facts Relevant to Penalty**

9. On or about March 4, 2015, the Discipline Committee found that the Dealer and two of its officers contravened the Code of Ethics. *Inter alia*, there were two advertisements published by the Dealer which failed to comply with all-in price advertising obligations pursuant to section 36(7) of O. Reg. 333/08. The Dealer was ordered to pay a fine of \$3,000.
10. As particularized above, the Dealer has violated the following sections of the Code of Ethics:

#### ***Disclosure and marketing***

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***

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

### **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 has breached Sections 4(2) and 9(3) of the Code of Ethics, O. Reg 332/08.

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

### **Reasons for Decision**

The Reviewing Panel has considered the proposed resolution. It finds that the penalty achieves the goals of adequate punishment for the offence, specific deterrence of the Dealer against future breaches of the code of ethics, and general deterrence for the industry showing that such breaches are considered serious and will be treated accordingly. In this particular matter, the parties agreed to the resolution. The Reviewing Panel finds that the resolution is within the

range of penalties for similar acts in other matters before this Tribunal and is not contrary to the public interest.

Ontario Motor Vehicle Industry Council

Discipline Tribunal

Dated: August 12, 2025

A handwritten signature in black ink, appearing to read "G. Flude", is positioned above a horizontal line.

Greg Flude, Public Member

On behalf of:

Paul Eros, Registrant Member

Anne French, Registrant Member