

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

- and -

Auto Tak Used Car Sales Inc.

- and -

Paknoush Mehrabnia Taleghani

AGREED STATEMENT OF FACTS AND PENALTY

Auto Tak Used Car Sales Inc. and Paknoush Mehrabnia Taleghani have breached the following:

Section 4 of the Code of Ethics, Regulation 332/08

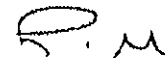
Section 9 of the Code of Ethics, Regulation 332/08

SUMMARY OF AGREEMENT

The parties to this proceeding agree that:

By failing to comply with the following sections of the Act:

1. Auto Tak Used Car Sales Inc. (the "Dealer") was first registered as a motor vehicle dealer in or around September 2007. ("Taleghani") was first registered as a motor vehicle salesperson in or around March 2006. At all material times, Taleghani was the sole officer and director of the Dealer.



Registrant's Initials

ADVERTISING

Direct Correspondence with Dealer:

2. By email dated December 29, 2014, a representative of the registrar reminded the Dealer of their obligation to disclose in advertisements the term and maximum claim limit of extended warranties included in the purchase price.
3. By email dated January 12, 2015, a representative of the registrar reminded the Dealer of their obligation to disclose in advertisements the term and maximum claim limit of extended warranties included in the purchase price.
4. By email dated March 25, 2015, a representative of the registrar reminded the Dealer of their obligation to disclose in advertisements the term and maximum claim limit of extended warranties included in the purchase price.
5. On or about May 4th, 2015, a representative of the Registrar confirmed with Taleghani that some of the above mentioned emails had been received.

Non-Disclosure in Advertising:

6. Between on or about April 7, 2015 and on or about April 15, 2015, advertisements were posted by or on behalf of the Dealer which did not include the term and maximum claim limit for a two year warranty included in the purchase price. This is contrary to section 36(14) of Regulation 333/08, as well as section 4 and 9 of the Code of Ethics.

By failing to comply with the following sections of the *Motor Vehicle Dealers Act, 2002*:

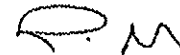
Regulation 333/08

36 (14) An advertisement that indicates that an extended warranty is included with the purchase of a motor vehicle shall indicate, in a clear, comprehensible and prominent manner, the term of the warranty and the maximum individual claim limits, if any, for the warranty.

It is thereby agreed that the Dealer has breached the following sections of the Code of Ethics, as set out in Regulation 332/08:

4. A registrant shall be clear and truthful in describing the features, benefits and prices connected with the motor vehicles in which the registrant trades and in explaining the products, services, programs and prices connected with those vehicles.

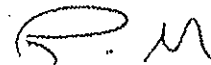
9. In carrying on business, a registrant shall not engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as disgraceful, dishonourable, unprofessional or unbecoming of a registrant.



Registrant's Initials

JOINT SUBMISSION ON PENALTY:

1. The Dealer agrees to pay a fine in the amount of \$2,000 due within 90 days of the date of the Discipline Committee Order.
2. Taleghani agrees to successfully complete the OMVIC certification course (the "course") within 90 days of the date of the Discipline Committee Order.
3. The Dealer is ordered to offer all current and future sales staff the opportunity to complete the course. Current sales staff will be offered the course within 90 days of the date of the Discipline Committee Order. Future sales staff will be offered the course within 90 of be retained in this capacity. The Dealer will incur all costs associated with this. It is understood between the parties this clause does not apply to sales staff who have completed the course or who are otherwise required to do so pursuant to the Act.
4. The Dealer agrees to comply with the Act and Standards of Business Practice, as may be amended from time to time



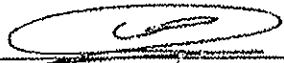
Registrant's Initials

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 TORONTO THIS 16 DAY OF JUNE, 2014

PAKNOUSH MEHRABIAN TALEGHANI

(please print)



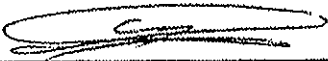
(signature)

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 TORONTO THIS 16 DAY OF JUNE, 2014

PAKNOUSH MEHRABIAN TALEGHANI

(please print)

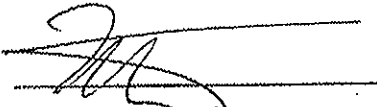


(signature)

I have the authority to bind the corporation:
Auto Tak Used Car Sales Inc.

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 16th DAY OF June, 2014



Mary Jane South
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 London THIS 22 DAY OF June, 2014



Cathérine Poultney
Chair, Discipline Committee of the
Ontario Motor Vehicle Industry Council

R.M.
Registrant's Initials