

DISCIPLINE DECISION

REVIEWING PANEL: Deb Mattina, 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 -)
WOODBINE CHRYSLER LTD.)
- and -)
STEVEN JAMES LONGMAN)
)

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: October 24, 2025

Findings:

Woodbine Chrysler Ltd. (the “Dealer”) has breached the following:

- Sections 3(1), 5(16), 7(1), 9(1) and 9(3) of the Code of Ethics, O. Reg. 332/08

Steven James Longman (“Longman”) has breached the following:

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

Order:

1. The Dealer shall pay a fine in the amount of **\$7,000** no later than twelve (12) months from the date of the Discipline Tribunal's Order.
2. Longman shall successfully complete the MVDA Key Elements Course no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order
3. 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.

Overview

This matter proceeded on the basis of an Agreed Statement of Facts, dated September 4, 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allegations contained in paragraphs 12 -15 of the Notice of Referral to Discipline ("NORD") dated June 10, 2025, are withdrawn.

Background:

1. The Dealer was first registered as a motor vehicle dealer under the Act in and around September 1989.
2. Longman was first registered as a salesperson under the Act in and around June 1997. At all material times, Longman has been an Officer and Person in Charge of the day-to-day activities of the Dealer.

OMVIC Publications

3. Since the Act was proclaimed in 2010, OMVIC has issued various educational materials, including publications, webinars and guidelines, reminding registrants of their obligations to disclose all material facts about the vehicles they sell. The dates of said publications are attached hereto as Schedule "A". Educational materials continue to be available on OMVIC's website.
4. Since the Act was proclaimed in 2010, OMVIC has issued various educational materials, including publications, webinars and guidelines, reminding dealers of their obligations to not retain the services of an unregistered person. The dates of said publications are attached hereto as Schedule "B". Educational materials continue to be available on OMVIC's website.

Direct Correspondence with Dealer

5. During an inspection on or about July 18, 2023, a representative of the Registrar reminded the Dealer to maintain a trust account for deposits above \$10,000, as required pursuant to section 58(4) of O. Reg. 333/08 and the Code of Ethics.

Dealer's Non-Compliance:

6. On or about March 11, 2025, a representative of the Registrar (the "Inspector") attended the Dealer's premises to conduct an inspection of its books and records. The following issues of non-compliance were discovered as part of the inspection, as particularized below.

Failure to disclose material facts:

7. On or about August 6, 2024, the Dealer sold a 2021 Jeep Grand Cherokee (VIN *** 541504), with a prior accident damage repair estimate of \$3,168, to a motor vehicle dealer. The Dealer failed to disclose this on the bill of sale.
8. This is contrary to section sections 5(16), 7(1), 9(1) and 9(3) of the Code of Ethics.

Retaining the service of unregistered salespersons

9. On or about October 19, 2024, the Dealer sold a 2018 Honda Civic EX (VIN *** 010964), to a consumer, with two individuals, Bryce Allen and Richard Chan, acting as the salespersons.
10. However, Bryce Allen and Richard Chan, at all material times, were not registered salespersons and have never been registered as salespersons to the Dealer.
11. As such, the Dealer retained the services of an unregistered salesperson, contrary to section 4(3) of the Act, as well as sections 9(1) and 9(3) of the Code of Ethics.

Failure to maintain a trust account

12. On or about June 28, 2024, the Dealer sold a 2023 RAM 1500 (VIN# *** 560520), to a consumer. The consumer made a deposit of \$20,000 towards the purchase of the vehicle.
13. The Dealer failed to maintain a trust account to hold the deposit in trust. As a result, the Dealer acted contrary to section 58(4) of O. Reg. 333/08 and therefore sections 3(1), 9(1) and 9(3) of the Code of Ethics.
14. On or about November 27, 2024, the Dealer sold a 2023 Hyundai Santa FE SE (VIN# *** 567694), to a consumer. The consumer made a deposit of \$20,000 towards the purchase of the vehicle.
15. The Dealer failed to maintain a trust account to hold the deposit in trust. As a result, the Dealer acted contrary to section 58(4) of O. Reg. 333/08 and therefore sections 3(1), 9(1) and 9(3) of the Code of Ethics.

Longman's Non-Compliance:

16. Longman, as a Person in Charge, failed to ensure that the Dealer conducted its business in compliance with the Act, its regulations, and the Code of Ethics and thus personally contravened sections 6(2) and 9(3) of the Code of Ethics.
17. As particularized above, the Dealer has violated the following sections of the Code of Ethics:

Integrity

s. 3(1) A registrant shall be financially responsible in carrying on business

Disclosure of information in contracts of sale and lease

s. 5(16) If the total costs of repairs to fix the damage caused to the vehicle by an incident exceed \$3,000, a statement to that effect and if the dealer knew the total costs, a statement of the total costs.

Compliance

s. 7(1) A registrant shall ensure that all documents used by the registrant in the course of a trade in a motor vehicle are current and comply with the law.

Professionalism

s. 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.

18. As particularized above, the Dealer and Longman 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, Longman has 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: (1) the Dealer has breached Sections 3(1), 5(16), 7(1), 9(1) and 9(3) of the Code of Ethics, O. Reg. 332/08; and (2) Longman has breached Sections 6(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 Agreed Statement of Facts (“ASF”) pertains to one instance of the Dealer’s failure to disclose material facts, one instance of retaining the services of unregistered salespersons and one instance of failure to maintain a trust account.

The Parties submitted that the agreed upon penalty and fine of \$7,000 is consistent with comparable jurisprudence and that it is also consistent with the specific circumstances of the cases referenced below, as outlined in these recent decisions of the Discipline Tribunal (formerly the Discipline Committee).

In support of their penalty proposal, the Parties submitted the following two Tribunal decisions: *OMVIC v. Quantrill Chevrolet Buick GMC Cadillac Ltd. et al* (2024), and *Registrar, Motor Vehicle Dealers Act, 2002 v. Number 7 Sales Limited et al.* (2023).

The Panel acknowledges that this is the Respondents’ second time before the Discipline Tribunal, with the previous appearance occurring 10 years ago. While this is not a first disciplinary matter for the Respondents, it is however in the public interest to have similar outcomes for similar contraventions of the Code of Ethics. The Panel would have held a different opinion if the previous disciplinary matter had been more recent.

The Panel acknowledges that a joint settlement should not be rejected lightly. A Reviewing Panel of the Discipline Tribunal should not reject a settlement if it does not bring the administration of justice into disrepute, nor reject a settlement unless it is so unhinged from the circumstances that it must be rejected. This Discipline Tribunal is bound by the precedents as paraphrased in the previous sentence which are set out in the Supreme Court’s ruling in *Anthony-Cook*¹ as well as *Bradley*².

The Panel acknowledges that the “public interest” test set out in *Anthony-Cook* is the appropriate test to adopt to measure the acceptability of a joint submission.

The Panel acknowledges and accepts as mitigating factors that the Respondents have taken responsibility for their misconduct and will take care to avoid future non-compliance; and that this settlement has saved the time and expense of proceeding to a contested hearing. The Panel also acknowledges that parties are encouraged to reach a settlement and support the Discipline Tribunal’s objectives of proceeding in a fair, timely and efficient manner pursuant to Rule 1.02 of the Discipline Tribunal Rules of Practice.

The Panel is satisfied that the proposed penalty and total fine amount of \$7,000 for the Dealer (\$2,500 for the failure to disclose material facts, \$3,000 for retaining the services of unregistered salespersons and \$1,500 for the failure to maintain a trust account) in addition to the course requirements for remedial effect would be in the public interest. It is in alignment with the above-mentioned Tribunal decisions.

¹ *R. v. Anthony-Cook*, 2016 SCC 43

² *Bradley v. Ontario College of Teachers*, 2021 ONSC 2303

The Panel is satisfied that the course requirements will address the Registrants' conduct violations. The proposed penalty would also deter the Registrants from future non-compliance.

The Panel accepts that the agreed upon penalty is within the range of reasonable outcomes.

Ontario Motor Vehicle Industry Council
Discipline Tribunal

Dated: October 24, 2025



Deb Mattina, Public Member

On behalf of:

Paul Eros, Registrant Member
Anne French, Registrant Member