

## DISCIPLINE DECISION

REVIEWING PANEL: Greg Flude, Public Member  
Chris Pinelli, Registrant Member  
Paul Repar, 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 - )  
OTTAWA CHRYSLER )  
JEEP DODGE INC. )  
)

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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:** December 29, 2025

**Findings:** **Ottawa Chrysler Jeep Dodge Inc. (the “Dealer”) has breached the following:**

- Sections 4(1), 4(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 **\$13,000** no later than one hundred (100) calendar days from the date of the Discipline Tribunal’s Order.

2. The Dealer shall **offer** to all current and future salespersons, employed by the Dealer, to **fund** their completion of the MVDA Key Elements 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 November 5, 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 subparagraphs 6a, 6d-f, 7a, 7d-f, 8, 12-16 of the Notice of Referral to Discipline ("NORD") dated November 22, 2024, are withdrawn.

### **Background**

1. The Dealer is currently registered as a motor vehicle dealer under the Act and was originally registered on or about April 3, 2006.
2. On or about May 16, 2024, the Dealer was the subject of a mystery shop organized by OMVIC, whereby staff attended the dealership as mystery shoppers, posing as consumers and members of the public. As a result of the mystery shop findings, a warning letter dated May 22, 2024, was issued by the Registrar and addressed the Dealer's failure to comply with advertising requirements set out in section 36(7) of Ontario Regulation 333/08. This warning letter was delivered to the Dealer.
3. On or about August 26, 2024, and September 6, 2024, a representative of the Registrar reviewed vehicle advertisements published on the Dealer's website. The Review revealed noncompliance with section 36(7) of Ontario Regulation 333/08 (the "Regulation"). It further revealed issues of noncompliance related to the *Code of Ethics, of Ontario Regulation 332/08* (the "Code") and the *Consumer Protection Act* (the "CPA"). The findings of the Review are particularized below:

### **OMVIC Publications**

4. Since the Act was proclaimed in 2010, OMVIC has issued various educational materials, including publications, webinars and guidelines, reminding registrants of their all-in pricing obligations. Educational materials continue to be available on OMVIC's website.

### **Dealer's Non-Compliance**

#### **Unclear Advertising**

5. During the Review conducted on September 6, 2024, a representative of the Registrar reviewed the following vehicle advertisements posted on the Dealer's website:

- a. 2023 Ram 1500 Classic Express - Stock # 230324
  - b. 2023 Ram 1500 Classic Express - Stock # 230347
6. The vehicle advertisements convey multiple price points for individual vehicles and/or refer to unclear discounts. The advertisements do not set out the pricing of the vehicle in a clear, comprehensible manner, and therefore violate section 4(1) and 4(2) and 9(3) of the Code.

### **Unclear Financial Disclosures**

7. During the Review conducted on or about September 6, 2024, a representative of the Registrar reviewed the following vehicle advertisements posted on the Dealer's website:
- a. 2024 Chrysler Pacifica Touring – Stock # 240133
  - b. 2024 Dodge Hornet - Stock # 240014
8. The above-noted advertisements fail to provide clear or complete financial disclosures related to the cost of borrowing and therefore violate section 61 of O. Reg 17/05 made under the *Consumer Protection Act* ("CPA") and section 4(1), 4(2) and 9(3) of the Code.

### **All-in Pricing Violations**

9. The vehicle advertisements for the 2022 Jeep Cherokee – Stock #230324 and the 2024 Ram 1500 Sport – Stock #240055, include the following disclaimer statement:
- "Prices and payments do not include... titles, tags, finance charges, documentation charges, emissions testing charges, or other fees required by law, vehicle sellers or lending organizations."
10. The advertisements fail to clearly indicate which fees and charges are incumbent on the consumer. As such, the advertised prices fail to indicate an "all-in price" and therefore misrepresent the actual price of the vehicle. Therefore, the advertisements violate section 4(2) and 9(3) of the Code.

### **Code of Ethics Violations**

11. As particularized above, the Dealer has violated the following sections of the Code of Ethics:

#### *Disclosure and marketing*

- s. 4(1) 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.
- s. 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*

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

**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(1), 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**

1. In reviewing the joint submission on penalty, the Reviewing Panel must determine if the proposed resolution is in the public interest or if it is so unhinged from the circumstances of the impugned behaviour that a reasonable person would believe that the justice system has broken down. In doing this analysis, the Reviewing Panel must bear in mind the aims of levying an administrative penalty: specific deterrence of the offender, general deterrence for the motor vehicle sales industry, and rehabilitation and remediation for the offenders. Dealing with the last of these first, there is an education requirement the personal applicant that, it is hoped, will educate and encourage regulatory compliance in the future.
2. In considering the monetary penalty, the Reviewing Panel notes that there are six violations all related to advertising: two related to unclear advertisements, two related to unclear disclosure of financing terms, and two breaches of the all-in pricing regulations. An aggravating factor is that the dealership received a warning letter about all-in pricing just four months before the impugned transactions.
3. We note that this is a first appearance before the Discipline Tribunal for the dealership. To their credit, the Respondents have accepted responsibility for their actions as evidenced by entering into an agreed statement of facts and joint submission on penalty.
4. The proposed penalty is in accordance with other penalties imposed by the Discipline Tribunal in similar cases. None of the cited cases dealt with six infractions, nor do they involve receipt of a warning letter on these very issues shortly before the impugned activity. A penalty of \$13,000, while higher than the cited cases, is reflective of the extent of the Respondents' actions. We find that a penalty is sufficient to signal to the industry that breaches of the regulations are serious offences and will draw significant sanctions.

5. The Reviewing Panel is satisfied that the agreed upon penalty satisfies the sentencing principles of specific and general deterrence, maintains public trust, meets the objectives of rehabilitation and remediation, and that the proposed penalty is in the public interest. The parties are thanked for working towards a resolution short of the need for a hearing.

Dated: December 29, 2025

Ontario Motor Vehicle Industry Council  
Discipline Tribunal



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Greg Flude, Public Member

On behalf of:  
Chris Pinelli, Registrant Member  
Paul Repar, Registrant Member