

DISCIPLINE DECISION

REVIEWING PANEL: Greg Flude, Public Member
Anne French, Registrant Member
Joe Malfara, 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 -)
SHEKEDIN, SHEKEDIN)
O/A HITECH AUTO SALE AND)
SERVICES)
)

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: February 13, 2026

Findings: **Shekedin, Shekedin o/a Hitech Auto Sale and Services (the "Dealer") has breached the following:**

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

Order:

1. The Dealer shall pay a fine in the amount of **\$5,000** no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
2. The Dealer 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 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 December 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The allegations contained in paragraphs 8-11 of the Notice of Referral to Discipline dated November 5, 2025, are hereby withdrawn.

Background

1. The Dealer was first registered as a motor vehicle dealer in or around July 2008 as a sole proprietor.

Dealer's Non-Compliance

2014 Toyota Corolla (VIN *164344)**

2. On or about May 14, 2025, the Dealer sold a 2014 Toyota Corolla (VIN ***164344) to a consumer. This vehicle had previously incurred accident damage for which repairs were valued at \$2,474, \$3,339, and \$8,729. The Dealer failed to provide the purchaser with written disclosure of the vehicle's accident repair history. This is contrary to section 42(19) and s. 42(25) of Ontario Regulation 333/08, as well as sections 7(1), 9(1) and 9(3) of the Code of Ethics.

2011 Toyota RAV4 (VIN *063939)**

3. On or about July 4, 2025, the Dealer sold a 2011 Toyota (VIN ***063939) to a consumer. This vehicle had previously incurred accident damage for which repairs were valued at \$4,816. The Dealer failed to provide the purchaser with written disclosure of the vehicle's accident repair history. This is contrary to section 42(19) of Ontario Regulation 333/08, as well as sections 7(1) and 9(3) of the Code of Ethics.

Code of Ethics Violations

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

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

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.

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 7(1), 9(1) 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

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 these particular offenders. The proposed administrative penalty in this case involves a fine of \$5,000 and an education component. Dealing with the last of these first, given the education requirement for each of the personal applicants, it is hoped that this component will educate and encourage regulatory compliance in the future.

In considering the monetary penalty, the Reviewing Panel notes the following:

- a. OMVIC has published numerous bulletins, webinars, and guidelines on all-in pricing.
- b. There are two trades at issue, one involving breach of the all-in pricing regulations and one involving failure to disclose accident damage.
- c. The Parties have not previously been before the Discipline Tribunal.

The Applicants have accepted responsibility for their actions as evidenced by entering into an agreed statement of facts and joint submission on penalty. The proposed penalty is in line with other penalties imposed by the Discipline Tribunal. Although the cases cited in OMVIC's submission address single instances of breach of the Code of Ethics, the fact that there two breaches in this case warrants a higher fine. The amount is sufficient to signal to the industry that breaches of the regulations are serious offences.

The 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 remedial action, 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.

Ontario Motor Vehicle Industry Council
Discipline Tribunal

Dated: February 13, 2026



Greg Flude, Public Member

On behalf of:
Anne French, Registrant Member
Joe Malfara, Registrant Member