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## DISCIPLINE DECISION

IN THE MATTER OF A DISCIPLINE HEARING HELD PURSUANT TO THE MOTOR  
VEHICLE DEALERS ACT 2002, REGULATION 332/08; CODE OF ETHICS

BETWEEN:

REGISTRAR, *MOTOR VEHICLE DEALERS ACT, 2002*

- AND -

SUPREME AUTO GROUP INC

-AND-

AARON WILTSHIRE

-AND-

LAMONT WILTSHIRE

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Subject to Rules 1.07 and 1.08 of the Rules of Practice before the Discipline Committee and Appeals Committee, I, the Chair of the Discipline Committee have reviewed and considered the written Agreed Statement of Facts and Joint Submission on Penalty together with both parties waiver of a hearing to this proceeding and provide the following Order:

**Date of Decision:** February 4, 2011

**Findings:** Breach of Section 5 of the Code of Ethics and Section 2 of the Standards of Business Practice

**Order:** Fine of \$3,000.00 payable to OMVIC within 90 days of the date of the Order, all salespeople who have not completed the revised Motor Vehicle Dealers Act, 2002 OMVIC certification course will do so, within 90 days of the Order and the dealer will audit its records from March 17, 2010 to January 31, 2011 to ensure proper disclosure of vehicles past history have been made, in writing, to the purchaser at the time of the transaction, and will provide compensation to the purchaser, if requested, for failure to make disclosure, this shall be completed within 60 days of the date of this Order.



Therefore, upon consent of the parties, the Discipline Committee Orders that the proceedings in this matter are concluded and disposed of without a hearing on the basis of the terms set out in the said Schedule "A".

Ontario Motor Vehicle Industry Council  
Discipline Committee

A handwritten signature in cursive script, reading "C Poultney", positioned above a horizontal line.

*Catherine Poultney, Chair*

**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 -

**SUPREME AUTO GROUP INC**

- and -

**AARON WILTSHIRE**

- and -

**LAMONT WILTSHIRE**

**AGREED STATEMENT OF FACTS AND PENALTY**


Supreme Auto Group Inc, Aaron Wiltshire and Lamont Wiltshire have breached the following:

- Section 2.4 of the Standards of Business Practice, November 2000
- section 5(16) of the Code of Ethics, as set out in Ontario Regulation 332/08

**SUMMARY OF AGREEMENT**

The parties to this proceeding agree that:

1. On or about August 14, 2009, the dealer purchased a 2008 Chrysler 300, (VIN 2C3KA43RX8H176735), from Manheim auto auction. This vehicle was previously registered in the US as a rental vehicle. On or around December 8, 2009, the dealer sold this vehicle to a consumer, without providing written disclosure of the vehicle's previous rental use, contrary to section 2.4 of the Standards of Business Practice and clause 20 of the dealer's terms and conditions of registration.
2. On or about September 14, 2009, the dealer purchased a 2008 Chrysler Pacifica, (VIN 2A8GM48L0BR627297) from Manheim auto auction. This vehicle was previously registered in the US as a rental vehicle. On or around October 27, 2009, the dealer

  
Registrar's Initials

sold this vehicle to a consumer, without providing written disclosure of the vehicle's previous rental use, contrary to section 2.4 of the Standards of Business Practice and clause 20 of the dealer's terms and conditions of registration.

- 3. On or about September 14, 2009, the dealer purchased a 2008 Dodge Caravan, (VIN 1D8HN44H58B127825) from Manheim auto auction. This vehicle was previously registered in the US as a rental vehicle. On or around March 7, 2010, the dealer sold this vehicle to a consumer, without providing written disclosure of the vehicle's previous rental use, contrary to Subsection 42(7) of the Act and clause 20 of the dealer's terms and conditions of registration.
- 4. On or about November 2, 2009, the dealer purchased a 2007 Nissan Maxima, (VIN 1N4BA41E57C816936). The wholesale bill of sale provided to the dealer, recorded the odometer reading at the point of sale as 121,440 KMS. On or around February 19, 2010 the dealer sold this vehicle to a consumer but recorded the odometer reading on the new vehicle purchase agreement as 77,160 KM, contrary to Subsection 42(3) of the Act and clause 23 of the dealer's terms and conditions of registration.
- 5. On or about December 7, 2009, the dealer purchased a 2004 Audi A6Z, (VIN WAUCD64B14N064683). The wholesale bill of sale provided to the dealer disclosed a "\$5000 Car Proof". On or around February 20, 2010 the dealer sold this vehicle to a consumer but did not disclose the accident information, contrary to Subsections 42(19) and 42(25) of the Act and clause 20 of the dealer's terms and conditions of registration. The dealer has failed to comply with Subsection 5(16) of the Code of Ethics, as set out in Ontario Regulation 332/08.

It is thereby agreed that Supreme Auto Group Inc breached the following:

Standards of Business Practice, November 2000

2.4 Wholesale and retail contracts state on the front of the contract any of the following statements if they accurately describe the past regular use of the motor vehicle:

- a. "Daily rental" if the motor vehicle was a rental vehicle and has never been owned by a consumer
- b. "Police Cruiser"
- c. "Taxi vehicle"

Code of Ethics, as set out in Ontario Regulation 332/08:

5. A registered motor vehicle dealer who enters into a contract to sell or lease a motor vehicle to a person who is also a registered motor vehicle dealer shall ensure that the following information is disclosed in the contract:


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. O. Reg. 332/08

  
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Registrant's Initials

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**JOINT SUBMISSION ON PENALTY:**

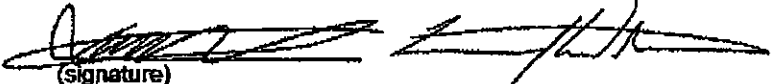
1. Supreme Auto Group Inc ("the dealer") will agree to and pay a fine in the amount of \$3,000 within 90 days of the date of the Discipline Committee Order. The fine is payable to the Ontario Motor Vehicle Industry Council.
2. The dealer acknowledges and agrees with all particulars referred to in the Notice of Complaint, dated August 31, 2010.
3. The dealer agrees that all registered salespeople who have not completed the revised *Motor Vehicle Dealers Act, 2002* OMVIC certification course will do so, within 90 days of the date of the Discipline Committee Order. The dealer will incur all costs associated with this.
4. The dealer will audit its records from March 17, 2010, to present to ensure that proper disclosure of daily rental, accident repair and true distance travelled has been made, in writing, to the purchaser at the time of the transaction. If there are any transactions wherein the dealer failed to make proper written disclosure, the dealer shall contact the purchaser and make the necessary disclosure in writing. If requested by the purchaser, the dealer will offer compensation for the failure to make disclosure. The dealer shall complete the audit and contact purchasers within 60 days of the date of the Discipline Committee Order.
5. The dealer agrees to comply with Regulation 332/08 Code of Ethics under the *Motor Vehicle Dealers Act, 2002* and the Standards of Business Practice, as may be amended from time to time.

  
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 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 2:10pm THIS Jan DAY OF 31<sup>st</sup>, ~~2010~~ 2011

Arvid Willshire  
(please print)  
Name of Authorized Representative

  
(signature)  
I have the authority to bind the corporation:  
Supreme Auto Group Inc.

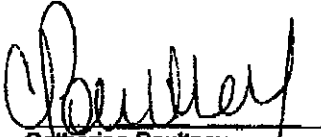
By signature below the Registrar agrees, acknowledges, understands and consents to the final settlement of this matter by way of this Agreed Statement of Facts and Penalty.

DATED AT Toronto THIS 3 DAY OF FEB, 2010 11 @

  
Carl Compton,  
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 4<sup>th</sup> DAY OF Feb, 2010 CP  
2011

  
Catherine Poutney  
Chair, Discipline Committee of the  
Ontario Motor Vehicle Industry Council

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