

DISCIPLINE DECISION

REVIEWING PANEL: Aviva Harari, Public Member
Anne French, 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 -)
JOSEPH CURTIS ROWE)
)

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: April 29, 2026

Findings: **Joseph Curtis Rowe has breached the following:**

- Section 9(1) of the Code of Ethics, O. Reg. 332/08

Oder:

1. Joseph Curtis Rowe shall pay a fine in the amount of **\$2,500** 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 March 3, 2026, 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:

Background:

1. Joseph Curtis Rowe ("Rowe") was first registered as a salesperson under the Act in and around August 2004. At all material times, Rowe has been a salesperson of 1124006 Ontario Inc. o/a Orillia Mazda (the "Dealer").

Rowe's Non-Compliance:

2. On or about August 9, 2024, the Registrar issued a Notice of Referral to Discipline against the Dealer, the Person in Charge of the Dealer and Rowe for non-compliance with all-in price advertising obligations, contrary to section 36(7) of O. Reg. 333/08, as well as sections 4(2) and 9(3) of the Code of Ethics, O. Reg. 332/08.
3. On or about December 23, 2024, the Discipline Tribunal issued an order (the "Order"), attached hereto as Schedule "A". Among other things, Rowe was required to successfully complete the MVDA Key Elements Course (the "Course") no later than ninety (90) calendar days from December 23, 2024.
4. Rowe was thus required to complete the Course on or about March 25, 2025.
5. On or about March 21, 2025, Rowe, through his legal representative, requested an extension of time to complete the Course or a removal of the requirement to complete the Course.
6. On or about March 24, 2025, a representative of the Registrar (the "Representative") advised Rowe that only a request for extension could be processed. The Representative further advised that the Discipline Tribunal had approved the request for an extension and provided a new deadline of April 22, 2025.
7. On or about March 24, 2025, Rowe, through his legal representative, requested a six-month extension in substitution of the deadline of April 22, 2025.
8. The Representative advised Rowe that OMVIC needed proof of extenuating circumstances to approve the six-month extension.
9. On or about May 26, 2025, the Representative reminded Rowe of his outstanding requirement to successfully complete the Course. The Representative advised Rowe that failure to either comply with the Order or submit proof of extenuating circumstances supporting his request for a six-month extension within three business days would result in an administrative review.
10. On or about June 3, 2025, the Representative again reminded Rowe of his outstanding requirement to successfully complete the Course.
11. At the time the Notice of Referral to Discipline was issued, Rowe had not yet successfully completed the Course.
12. By failing to comply with the Order, Rowe contravened section 9(1) of the Code of Ethics.

13. On or about November 13, 2025, Rowe successfully completed the Automotive Certification Course.

Code of Ethics Violations

14. As particularized above, Rowe has violated the following section of the Code of Ethics:

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.

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 Curtis Joseph Rowe breached section 9(1) of the Code of Ethics.

The Reviewing Panel accepted the parties' proposed resolution.

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 disproportionate to the circumstances of the impugned behaviour that a reasonable person would believe it to be a miscarriage of justice. In doing this analysis, the Reviewing Panel must consider the goals of imposing an administrative penalty: specific deterrence of the offender, general deterrence for the motor vehicle sales industry, and rehabilitation and remediation for these particular offenders.

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

Mr. Rowe's failure to comply with an earlier order of this Discipline Committee is a significant aggravating factor considered by the panel. OMVIC acted reasonably in agreeing to Mr. Rowe's requests for an extension of time to complete the education course. Despite additional time, Mr. Rowe failed to uphold his agreement with the regulator. OMVIC had to expend significant resources until Mr. Rowe took the required course. It was only upon issuance of the Notice of Referral to Discipline herein that Mr. Rowe completed the required education program. Mr. Rowe's disregard of his obligations demonstrates a clear breach of his ethical obligations. The panel afforded minimal consideration to Mr. Rowe's settlement of the NORD given his conduct in this matter.

Ontario Motor Vehicle Industry Council
Discipline Tribunal

Dated: April 29, 2026

Aviva Harari

Aviva Harari, Public Member

On behalf of:
Anne French, Registrant Member
Paul Repar, Registrant Member