

SENT VIA E-MAIL

DISCIPLINE TRIBUNAL OF THE ONTARIO MOTOR VEHICLE INDUSTRY COUNCIL

**IN THE MATTER BEFORE THE DISCIPLINE TRIBUNAL HELD PURSUANT TO THE
*MOTOR VEHICLE DEALERS ACT, 2002, S.O. 2002, c.30, Sch. B***

TO: 2547566 Ontario Inc. o/a Kitchener Nissan
1450 Victoria St N
Kitchener, ON
N2B 3E2

AND TO: Tingxi Ying

AND TO: Mark J Pilla

AND TO: Daniel Ernest Macgregor Wilton

NOTICE OF FURTHER AND OTHER PARTICULARS

WHEREAS by a Notice of Referral to Discipline Tribunal ("NORD") dated the 7th of May, 2026, the Registrar, *Motor Vehicle Dealers Act, 2002* (the "Act") did allege that 2547566 Ontario Inc. o/a Kitchener Nissan (the "Dealer"), Mark J Pilla ("Pilla"), and Daniel Ernest Macgregor Wilton ("Wilton") violated the Code of Ethics, as set out in Ontario Regulation 332/08;

AND WHEREAS further information has come to the attention of the Registrar related to violations of the Code of Ethics;

NOW THEREFORE TAKE NOTICE THAT THE REGISTRAR REPEATS THE REASONS AS SET OUT IN THE NORD AND IS PROVIDING THE FOLLOWING FURTHER AND OTHER PARTICULARS:

FURTHER PARTICULARS

It is further alleged as follows:

Background

18. Tingxi Ying ("Ying"), also known as "Ting", was first registered as a salesperson under the Act in and around August 2010. At all material times, Ying has been a General Manager responsible for the day-to-day activities of the Dealer.

Ying's Non-Compliance

19. Ying, as the General Manager responsible for the day-to-day activities of the Dealer, 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), 9(1) and 9(3) of the Code of Ethics.

If the Registrant(s) have previously provided a written response to the NORD, you do not need to submit another response. However, the Registrant(s) may provide a written response to the particulars set out above to OMVIC within 15 days of service of this Notice to: legal_dept@omvic.on.ca

If the Discipline Tribunal makes a determination that a registrant has failed to comply with the Code of Ethics, it may order one or more of the following:

- A fine up to \$25,000 per party;
- Require the registrant to take further educational courses;
- If the registrant is a motor vehicle dealer, require the dealer to arrange and fund educational courses for salespersons employed by the dealer;
- Award costs.

A Notice of Referral to Discipline ("NORD"), including a Notice of Further and Other Particulars, and decisions of the Discipline Tribunal, may be published. Hearings before the Discipline Tribunal may be recorded and are open to the public.

The *Statutory Powers Procedure Act, R.S.O 1990 c.s.22*, applies to the hearing to be held by this Discipline Tribunal. A party to a proceeding may be represented by counsel or an agent.

The good character, propriety of conduct or competence of the Registrant(s) shall be an issue in any hearing before the Discipline Tribunal and reasonable information of allegations with respect thereto has been furnished.

The Rules of Practice of the Discipline Tribunal will apply and are available on OMVIC's website. A Notice of Hearing and disclosure will be provided in accordance with the Rules of Practice of the Discipline Tribunal.

Take note that as per the Rules of Practice, failure to attend a hearing before the Discipline Tribunal may result in a decision being determined *ex parte* (in your absence).

APPLICATION OF THE RULES OF PRACTICE OF THE DISCIPLINE TRIBUNAL

This is to serve notice that OMVIC may make application for its costs, pursuant to Rule 13 of the Rules of Practice.

FURTHER PARTICULARS/SUPPLEMENTAL NOTICE

The Registrar may provide further and other particulars in respect of any other matters herein or in respect to any other matter including further particulars of violations of the Code of Ethics.

DATED at Toronto, this 15th day of July, 2026



Maureen Harquail, KC, MPA, ICD.D.
Registrar, *Motor Vehicle Dealers Act, 2002*