

DISCIPLINE DECISION

REVIEWING PANEL: Deb Mattina, Public Member
Jon Lemaire, Registrant Member
Paul Eros, 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 -	)
2449616 ONTARIO INC. O/A	)
STOUFFVILLE HONDA	)
- and -	)
DAVID ROBITAILLE	)
- and -	)
JING ZHANG	)

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: July 8, 2026

Findings: **2449616 Ontario Inc. o/a Stouffville Honda (the “Dealer”) has breached the following:**

- Sections 4(2) and 9(3) of the Code of Ethics, O. Reg. 332/08

Jing Zhang has breached the following:

- Section 4(2), 6(2) and 9(3) of the Code of Ethics, O. Reg. 332/08

David Robitaille has breached the following:

- Section 4(2), 6(2) and 9(3) of the Code of Ethics, O. Reg. 332/08

Jing Zhang has breached the following:

- Section 6(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 **\$2,500** no later than 90 calendar days from the date of the Discipline Tribunal's Order.
2. **David Robitaille** shall successfully complete (with a passing grade of at least 80%) the MVDA Key Elements Course, no later than 120 calendar days from the date of the Discipline Tribunal's Order.
3. **Jing Zhang** shall successfully complete (with a passing grade of at least 80%) the MVDA Key Elements Course, no later than 90 calendar days from the date of the Discipline Tribunal's Order.
4. 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 120 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 17, 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. The Dealer was first registered as a motor vehicle dealer under the Act in and around December 19, 2016, and it is currently registered.
2. David Robitaille ("Robitaille") was first registered as a motor vehicle salesperson under the Act in and around June 18, 1989, and he is currently registered. At all material times to this matter, he has been the Officer of the Dealer since December 19, 2016, and he has been a Person in Charge of the Dealer since May 5, 2023.
3. Jing Zhang ("Zhang") was first registered as a motor vehicle salesperson under the Act in and around January 24, 2025, and she is currently registered. Zhang was employed by the Dealer from August 5, 2025, to November 3, 2025.

Educational Resources

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 price advertising obligations. Educational resources continue to be available on OMVIC's website.

Dealer's Non-Compliance:

5. On or before October 28, 2025, the Dealer advertised a 2021 Honda CR-V (VIN: 9565) on its website for the price of \$27,888 exclusive of harmonized sales tax and licensing.
6. On or about October 28, 2025, an OMVIC Representative (the "Representative") attended the premises of the Dealer and made inquiries regarding the 2021 Honda CR-V while posing as a member of the public (also known as a 'mystery shop'). The Representative met with Zhang.
7. Zhang, on behalf of the Dealer, provided the Representative a written quote. On this document, the price of the vehicle was noted as \$27,888 plus the following additional mandatory fees (which were not included in the advertised price):
 - a. A \$588 administration fee; and,
 - b. A \$22 OMVIC fee
8. Therefore, the advertised price of \$27,888 was not all-inclusive, in contravention of section 36(7) of O. Reg 333/08. The Dealer thereby also breached sections 4(2) and 9(3) of the Code of Ethics.

Zhang's Non-Compliance:

9. In regard to the above-noted vehicle transaction, Zhang failed to represent the price of the vehicle in a legal manner and thereby violated sections 4(2) and 9(3) of the Code of Ethics.
10. Zhang also 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) and 9(3) of the Code of Ethics.

Robitaille's Non-Compliance

11. Robitaille, as the Person in Charge, failed to ensure that the Dealer conducted its business in accordance with the Act, its regulations, or the Code of Ethics. As a result, he personally contravened sections 6(2) and 9(3) of the Code of Ethics.
12. Robitaille, acting on behalf of the Dealer, has advised the Registrar that proactive steps have been taken to ensure that salespersons at the Dealership are informed of the all-in pricing requirements, and that the Dealership's advertising has been revised to ensure that all motor vehicle trades are conducted in accordance with those requirements.

Code of Ethics Violations

13. As particularized above, the Dealer and Zhang have violated the following section of the Code of Ethics:

Disclosure and marketing

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.

14. As particularized above, the Dealer, Robitaille and Zhang have violated the following section of the Code of Ethics:

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.

15. As particularized above, Robitaille and Zhang have violated the following section of the Code of Ethics:

Accountability

s. 6(2) A registered salesperson shall not do or omit to do anything that causes the registered motor vehicle dealer who employs or retains the salesperson to contravene this Regulation or any applicable law with respect to trading in motor vehicles.

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 breached sections 4(2) and 9(3) of the Code of Ethics, that Jing Zhang has breached sections 4(2), 6(2) and 9(3) of the Code of Ethics, and that David Robitaille has breached sections 6(2) and 9(3) of the Code of Ethics.

The Reviewing Panel accepted the parties' proposed resolution for the reasons below.

Reasons for Decision

The Reviewing Panel received and considered comprehensive written materials from the parties and was left satisfied that the proposed resolution has no risk of being contrary to the public interest. The outcome is clearly connected to the admitted breaches of the Code of Ethics and consistent with other outcomes ordered in this Tribunal in similar cases. In such circumstances, disposition under Rule 1.07 is appropriate and ordered accordingly

The Panel accepts that this was an isolated incident and the Salesperson responsible is no longer employed by the Dealership.

Ontario Motor Vehicle Industry Council

Discipline Tribunal

Dated: July 8, 2026



Deb Mattina, Public Member

On behalf of:

Jon Lemaire, Registrant Member

Pau Eros, Registrant Member