

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 -	)
BRANT COUNTY FORD	)
SALES LIMITED	)
- and -	)
ERIC HURLBURT	)
- and -	)
MICHAEL HURLBURT	)
- and -	)
CHRISTOPHER LYE	)

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: **Brant County Ford Sales Limited (the “Dealer”)has breached the following:**

- Sections 4(2), 6(1) and 9(3) of the Code of Ethics, O. Reg. 332/08
- Section 36(7) of O. Reg. 333/08

Eric Hurlburt has breached the following:

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

Michael Hurlburt has breached the following:

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

Christopher Lye has breached the following:

- Section 4(2), 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 \$3,000 no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
2. Eric Hurlburt shall pay a fine in the amount of \$1,000 no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
3. Michael Hurlburt shall pay a fine in the amount of \$1,000 no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
4. Christopher Lye shall successfully complete (with a passing grade of at least 80%) the MVDA Key Elements Course no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
5. 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 June 9, 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 March 1983. It is currently registered.
2. Eric Hurlburt ("E. Hurlburt") was first registered as a motor vehicle salesperson under the Act on and around May 1994. At all material times, E. Hurlburt has been a Person in Charge of the day-to-day activities of the Dealer.

3. Michael Hurlburt ("M. Hurlburt") was first registered as a motor vehicle salesperson under the Act on and around April 1990. At all material times, M. Hurlburt has been a Person in Charge of the day-to-day activities of the Dealer.
4. Christopher Lye ("Lye") was first registered as a motor vehicle salesperson under the Act in and around August 2008. At all material times, Lye has been registered as a salesperson to the Dealer.

Dealer's Non-Compliance:

1. On or before March 9, 2026, the Dealer published an advertisement for a 2025 Ford Mustang GT (VIN# ***4105) (the "Vehicle"), with an advertised price of \$59,598 plus licensing and taxes.
2. On or about March 10, 2026, an OMVIC Representative made inquiries about the Vehicle, while posing as a member of the public (also known as a mystery shop).
3. Lye, acting on behalf of the Dealer, provided the OMVIC Representative with a printed worksheet for the Vehicle. The worksheet showed a selling price of \$59,598, but also the following additional charges added to the price of the vehicle:
 - i. OMVIC Fee of \$22
4. As such, the Dealer's advertised price was not all-inclusive of all required fees. This is contrary to section 36(7) of O. Reg. 333/08, as well as sections 4(2), 6(1) and 9(3) of the Code of Ethics.

E. Hurlburt's Non-Compliance

9. E. Hurlburt 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.

M. Hurlburt's Non-Compliance

10. M. Hurlburt 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.

Lye's Non-Compliance

11. In regard to the above-noted 2025 Ford Mustang GT, Lye engaged in a trade of a vehicle in a manner that is contrary to sections 4(2) and 9(3) of the Code of Ethics and also caused the Dealer to contravene the Act, its regulations, and the Code of Ethics and thus personally contravened sections 6(2) and 9(3) of the Code of Ethics.

Agreed Facts Relevant to Penalty

12. Per a discipline decision dated December 29, 2025, the Dealer was found in contravention of sections 4(2) and 9(3) of the Code of Ethics for advertising a vehicle price that was not all-inclusive of all required fees, including:

- a. \$599 Administrative fee
 - b. \$41.50 Carproof fee
 - c. \$12.50 OMVIC fee.
13. Per a discipline decision dated December 29, 2025, M. Hurlburt was found in contravention of sections 6(2) and 9(3) of the Code of Ethics for failing to ensure that the Dealer conducted its business in compliance with the Act, its regulations and the Code of Ethics.
14. Per a discipline decision dated December 29, 2025, E. Hurlburt was found in contravention of sections 6(2) and 9(3) of the Code of Ethics for failing to ensure that the Dealer conducted its business in compliance with the Act, its regulations and the Code of Ethics.

Code of Ethics Violations

15. As particularized above, the Dealer has violated the following section of O. Reg. 333/08:

Advertising

- s. 36(7) If an advertisement indicates the price of a motor vehicle, the price shall be set out in a clear, comprehensible and prominent manner and shall be set out as the total of,
- (a) the amount that a buyer would be required to pay for the vehicle; and
 - (b) subject to subsections (9) and (10), all other charges related to the trade in the vehicle, including, if any, charges for freight, charges for inspection before delivery of the vehicle, fees, levies and taxes.

16. As particularized above, the Dealer has violated the following section of the Code of Ethics:

Accountability

- s. 6(1) A registered motor vehicle dealer shall ensure that every registered salesperson that the dealer employs or retains to act as a salesperson carries out his or her duties in compliance with this Regulation.

17. As particularized above, the Dealer and Lye 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.

18. As particularized above, the Dealer, Lye, E. Hurlburt and M. Hurlburt 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.

19. As particularized above, Lye, E. Hurlburt and M. Hurlburt 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), 6(1) and 9(3) of the Code of Ethics and Section 36(7) of O. Reg. 333/08, that Eric Hurlburt and Michael Hurlburt have breached sections 6(2) and 9(3) of the Code of Ethics, and that Christopher Lye has breached sections 4(2), 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

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