DISCIPLINE DECISION

REVIEWING PANEL: Sherry Darvish, Public Member
Nelson Caetano, 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 -	)
MOTOR WORKS ONE HOLDINGS INC. O/A BARRHAVEN CHRYSLER DODGE JEEP RAM	)
- and -	)
SHIV KUMAR DILAWRI	)

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: September 30, 2026

Findings: **Motor Works One Holdings Inc. o/a Barrhaven Chrysler Dodge Jeep Ram (the "Dealer") has breached the following:**

- Sections 6(1) and 9(1) of the Code of Ethics, O. Reg. 332/08

Order:

1. The Dealer shall pay a fine in the amount of **$5,000** no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.

2. The Dealer shall **offer** to all current and future salespersons, employed by the Dealer, to **fund** their completion of the Automotive Certification 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 August 6, 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:

Withdrawals:

The allegations against Shiv Kumar Dilawri contained in paragraphs 18-19 of the Notice of Referral to Discipline ("NORD") dated November 10, 2025 are withdrawn.

Background:

1. The Dealer was first registered as a motor vehicle dealer in and around January 2017.

2. Shiv Kumar Dilawri ("Dilawri") was first registered as a salesperson in and around October 1982. At all material times, Dilawri has been an officer of the Dealer.

3. The Dealer is also a part of the S. Dilawri Automotive Group (the "Dilawri Auto Group"). At all material times, Dilawri has been the President of the Dilawri Auto Group.

Dealer's Non-Compliance

4. On or about March 13, 2025, the Registrar issued a "Section 14 Notice – Requirement to Take Further Educational Course(s)" (the "Notice") to the Dealer, with attention to Dilawri. The Notice required Dilawri to complete the Ontario Motor Vehicle Industry Council ("OMVIC") Advertising Webinar (the "Webinar" or the "Webinar Requirement") within 60 days of this Notice being issued (being May 12, 2025).

5. On or about April 14, 2025, a representative of the Registrar (the "Representative") sent an email to the Dealer and Dilawri, reminding them that the deadline for Dilawri to complete the Webinar was May 12, 2025.

6. On or about April 14, 2025, a staff member of the Dilawri Auto Group ("Staff Member A") emailed the Representative, stating that Dilawri was not involved in the day-to-day activities of the Dealer and requested that Dilawri be removed from the Notice.

7. On or about April 14, 2025, a staff member of the Dealer emailed another representative of the Registrar, indicating that the Dealer has resolved its compliance issues with its advertisement pricing and requesting that the Webinar Requirement be withdrawn. The Registrar's representative replied on or about the same date, stating that the Webinar must still be completed before the deadline.

8. On or about April 17, 2025, the Representative emailed Staff Member A, indicating that Dilawri was registered as the sole officer of the Dealer and that the Dealer had no

appointed Person in Charge. The Representative indicated that the Dealer could appoint a Person in Charge and then request that this Person in Charge be responsible for completing the Webinar instead, subject to internal review and approval. The Representative informed Staff Member A that the Dealer could submit a "Business Change Notice – Individual" to appoint a Person in Charge.

9. On or about April 19, 2025, Staff Member A emailed the Representative, requesting an extension of the May 12, 2025 deadline in order to complete the Webinar.

10. The Representative, Staff Member A, and another staff member from the Dilawri Auto Group ("Staff Member B") conducted further email discussions between late April and early May 2025 regarding the requested extension, the Dealer's potential appointment of a new Person in Charge to complete the Webinar, and the exemption of Dilawri from the Webinar Requirement.

11. Dilawri failed to complete the Webinar by the initial deadline of May 12, 2025, as outlined in the initial Notice.

~~12.~~ On or about May 16, 2025, the Representative informed Staff Members A and B that the Registrar has approved the request to reassign the requirement to complete the Webinar to the Dealer's new Person in Charge. The deadline for the new Person in Charge to complete the Webinar would be extended to June 8, 2025 (the "Extended Deadline"). However, the Dealer would be required to submit a "Business Change Notice – Individual" to register the new Person in Charge.

13. The Representative, Staff Member A, Staff Member B, and another staff member of the Dilawri Auto Group ("Staff Member C") engaged in further correspondence in May 2025 regarding the requirement to submit the "Business Change Notice – Individual".

14. Dilawri did not complete the Webinar by the Extended Deadline, nor did the Dealer successfully appoint a new Person in Charge via the "Business Change Notice – Individual" form to complete the Webinar prior to the Extended Deadline.

15. On or about July 29, 2025, the Representative emailed Dilawri, the Dealer, Staff Member A, Staff Member B, and Staff Member C, granting a final deadline of August 5, 2025 (the "Final Deadline") to ensure the completion of the Webinar. The Representative indicated that the Dealer had yet to appoint a Person in Charge, and once again warned that failing to fulfill the Webinar Requirement may result in further administrative action.

16. On or about August 28, 2025, the Dealer began preparing a "Business Change Notice – Individual" online in order to designate a new Person in Charge. However, it remained as a draft and was not completed or formally submitted to OMVIC's Registration Department.

17. On or about November 10, 2025, the Registrar issued the NORD regarding the Dealer's and Dilawri's failure to fulfill the requirement outlined in the Notice. On or about the same day, the Dealer and Dilawri received the NORD by e-mail.

18. On or about February 11, 2026, a General Sales Manager of the Dealer completed the Webinar.

19. By failing to ensure that Dilawri completed the Webinar before the Extended Deadline or the Final Deadline, or alternatively by failing to successfully register a new Person in Charge and ensuring that this Person in Charge completed the Webinar before the Extended Deadline or the Final Deadline, the Dealer failed to fulfill the requirement outlined in the Notice. As such, the Dealer has contravened section 14(4)3 of the Act, as well as sections 6(1) and 9(1) of the Code of Ethics.

Code of Ethics Violations

20. As particularized above, the Dealer has violated the following sections 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.
>
> *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 the Dealer breached sections 6(1) and 9(1) of the Code of Ethics.

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

Reasons for Decision

The Panel is satisfied that the penalty meets with the general and specific deterrence goals of a penalty and it is consistent with previous decisions of this Tribunal. The Panel further notes that the penalty does not bring the administration of justice into disrepute and considered the fact that this the registrants' first time before the discipline tribunal.

Ontario Motor Vehicle Industry Council
Discipline Tribunal

Dated September 30, 2026

S. Darvish

Sherry Darvish, Public Member

On behalf of:
Nelson Caetano, Registrant Member
Paul Eros, Registrant Member