

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 -	)
9578862 CANADA INC. O/A	)
PRIO AUTO SALES	)
- and -	)
ZAHRA NIRAN	)

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: **9578862 Canada Inc. o/a Prio Auto Sales (the “Dealer”) has breached the following:**

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

Zahra Niran has breached the following:

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

Order:

1. The Dealer shall pay a fine in the amount of **\$4,000** no later than 9 months from the date of the Discipline Tribunal's Order.
2. Zahra Niran shall pay a fine in the amount of **\$1,000** no later than 9 months from the date of the Discipline Tribunal's Order.
3. Zahra Niran shall successfully complete the MVDA Key Elements Course no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
4. The Dealer shall **offer** to all current 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 March 26, 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 the Dealer contained in paragraphs # 5, 6, 8-14 and 25-31 of the Notice of Referral to Discipline ("NORD") dated May 8, 2024, are withdrawn. Further, the allegations against Nawshad Syed contained in the NORD are withdrawn

Background:

1. The Dealer was first registered as a motor vehicle dealer on or about March 2017.
2. Zahra Niran ("Niran") was first registered as a motor vehicle salesperson on or about March 2017. At all material times, Niran was the sole Director as well as the Person in Charge of the day-to-day activities at the Dealer.
3. On or about January 10, 2017, Niran executed Terms and Conditions of registration on behalf of the Dealer.
4. Pursuant to condition 21, the Dealer agreed to accept full responsibility for the quality of any repairs or alterations to a motor vehicle completed by the Dealer's personnel, agents, assignees, affiliated repair facilities or any acting on behalf of the Dealer.

Dealer's Non-Compliance:**Consumer Complaint:**

5. On or about September 21, 2022, Consumer B purchased a 2003 Hummer H2 Sport U (VIN #141792) (the "Hummer") from the Dealer. A delivery checklist dated September 21, 2022, indicated two items to be repaired (the driver's door required adjustment, and the passenger door did not close properly) prior to Consumer B taking delivery of the vehicle.

6. The Dealer retained the vehicle to complete the necessary repairs.
7. On or about October 17, 2022, Consumer B took delivery of the vehicle. After picking up and while driving home, the vehicle's engine light came on, and the driver's side door was not fully repaired.
8. On or about October 26, 2022, Consumer B brought the Hummer back to the Dealer further to the vehicle's engine light being illuminated and the door still requiring adjustment.
9. On or about November 17, 2022, Consumer B was notified that the Hummer would be ready for pick up. On the drive home, vehicle condition issues were still present.
10. On or about November 29, 2022, Consumer B had a Ministry of Transportation ("MTO") inspection done on the vehicle. The inspector found that the Hummer was "unfit" and the plates were removed.
11. On or about December 14, 2022, Consumer B contacted OMVIC regarding the Hummer.
12. On or about February 9, 2023, the vehicle was taken to a repair facility by the Dealer to be inspected.
13. On or about March 3, 2023, the vehicle was taken by the Dealer to a Canadian Tire where a safety was performed. The Hummer was stated to have passed safety.
14. On or about March 7, 2023, a further MTO inspection was performed on the Hummer and certain items were indicated as requiring repair. The inspection resulted in a repair estimate of \$2,193.88.
15. On several occasions the Dealer took the Hummer for repairs to different repair facilities after Consumer B indicated there were issues with the vehicle. When the vehicle was returned to Consumer B, some of the issues remained outstanding. The Canadian Tire, where the vehicle was taken to on March 3, 2023, did undertake to repair the vehicle for Consumer B and has done so.
16. The Dealer failed to ensure all necessary repairs were completed and failed to exercise reasonable knowledge, skill and competence. This is a violation of condition 21 of the Dealer's Terms and Conditions as well as section 9(4) of The Code of Ethics.

Niran's Non-Compliance:

17. As related to the facts set out herein, Nairn 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) of the Code of Ethics.

Code of Ethics Violations

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

Professionalism

s. 9(4) A registrant shall provide conscientious service to the registrant's customers during a trade in a motor vehicle and shall demonstrate reasonable knowledge, skill, judgment and competence in providing the services.

19. As particularized above, Nairn 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 section 9(4) of the Code of Ethics and that Zahra Niran has breached sections 6(2) 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