Tribunals Ontario | **Tribunaux décisionnels Ontario**

Licence Appeal Tribunal | Tribunal d'appel en matière de permis

Citation: GTA Autopower Inc. and Al-Jadir v Registrar, *Motor Vehicle Dealers Act, 2002,* 2026 ONLAT MVDA 17057:

File Number: 17057/MVDA

In the matter of an appeal from a Notice of Proposal under the *Motor Vehicle Dealers Act, 2002,* c. 30, Sch.B. to revoke registrations.

Between:

GTA Autopower Inc. and Faisal Al-Jadir

Appellants

and

Registrar, *Motor Vehicle Dealers Act, 2002*

Respondent

AMENDED DECISION AND ORDER

Adjudicator: Kevin Kovalchuk, Vice-Chair

Appearances:

For the Appellants: GTA Autopower and Faisal Al-Jadir, Self-represented

For the Respondent: Yi Jiang (Jonathan) Hou, Counsel

Heard: By written submissions

OVERVIEW

[1] GTA Autopower Inc. (“GTA”) and Faisal Al-Jadir (“Mr. Al-Jadir”) (collectively the “appellants”) appealed a Notice of Proposal dated April 22, 2025 (“NOP”) made by the Registrar *Motor Vehicle Dealers Act, 2002,* (the “respondent”) proposing to revoke the registration of the appellant GTA as a motor vehicle dealer and the registration of the appellant, Mr. Al-Jadir as a motor vehicle salesperson, under the *Motor Vehicle Dealers Act, 2002,* S.O. 2002, c.30 Sch B (the “*Act*”). Mr. Al-Jadir is the owner/operator of GTA. The Notice of Appeal (“NOA”) is dated May 2, 2025.

[2] The NOP is based on the grounds that the past conduct of the appellant Mr. Al-Jadir affords reasonable grounds for belief that he will not carry on business in accordance with the law and with integrity and honesty and therefore warrants the revocation of his registration under section 6(1)(a)(ii) of the *Act*. The NOP also alleges that Mr. Al-Jadir’s past conduct as the sole director and person in charge of the day-to-day activities of GTA and the individual responsible for ensuring compliance with the *Act* affords reasonable grounds for belief that GTA’s business will not be carried on in accordance with the law and with integrity and honesty and therefore warrants the revocation of its registration pursuant to section 6(1)(d)(iii) of the *Act.*

[3] During the conduct of this appeal the appellants were represented by counsel but were not represented during the hearing phase of the appeal.

[4] While I have read all the parties’ evidence and submissions, I only refer to what is necessary to explain my decision. I note that despite being given the opportunity, the appellants did not provide any affidavit evidence, did not cross-examine any of the respondent’s affiants and did not provide any reply submissions that addressed the respondent’s allegations and submissions.

Procedural History

[5] The parties participated in a case conference on June 5, 2025. A four-day videoconference hearing was subsequently scheduled to start on October 14, 2025. On

September 3, 2025, the appellants requested an adjournment to find and retain legal representation. The hearing was adjourned by order of the Tribunal on September 8, 2025, and the videoconference was rescheduled to start on January 6, 2026.

[6] The parties appeared as scheduled on January 6, 2025. At that time the adjudicator heard an accommodation request filed by the appellant Mr. Al-Jadir. After considering submissions of both parties the adjudicator decided to convert the videoconference hearing to a written hearing to accommodate Mr. Al-Jadir's accommodation request.

[7] On January 21, 2026, the Tribunal ordered the following schedule for the conduct of the written hearing:

- on or before April 7, 2026, all affidavits were to be served and filed by the parties
- on or before June 2, 2026, the parties were required to complete all cross-examinations of witnessed who submitted affidavits in the proceeding
- on or before June 9, 2026, the parties were required to exchange authority briefs
- on or before June 16, 2026, the respondent was required to serve and file its closing submissions
- on or before June 30, 2026, the appellants were required to serve and file their closing submissions
- the written hearing of this proceeding on the merits was scheduled to take place on July 8, 2026

[8] On April 7, 2026, the respondent complied with the deadline to serve and file affidavits from witnesses.

[9] The appellants have not served and filed any affidavits.

[10] No cross-examination of any of the respondent's witnesses was conducted prior to or after the June 2, 2026, deadline.

[11] On June 16, 2026, the respondent complied with the deadline to submit written closing submissions.

[12] The appellants did not submit written closing submissions until July 14, 2026, thirteen days past the deadline set by the Tribunal of June 30, 2026.

ISSUES IN DISPUTE

[13] The issues in dispute are:

1. Does the past conduct of the appellant Faisal Al-Jadir afford reasonable grounds for belief that he will not carry on business in accordance with the law and with integrity and honesty and is therefore disentitled to registration under section 6(1)(a)(ii) of the *Act.*

2. Does the past conduct of the appellant Faisal Al-Jadir as a sole director of and person in charged of the day-to-day activities of the appellant GTA afford reasonable grounds for belief that GTA's business will not be carried on in accordance with the law and with integrity and honesty and therefore warrants its disentitlement to registration pursuant to section 6(1)(d)(iii) of the *Act.*

3. Whether the Tribunal should direct the respondent to carry out its proposal or substitute its opinion for that of the respondent or attach conditions to its order of registration.

RESULT

[14] For the reasons set out below I find that the respondent's NOP to revoke GTA's registration as a motor vehicle dealer and the registration of Mr. Al-Jadir as a motor vehicle salesperson should be carried out.

PROCEDURAL ISSUE

[15] The respondent submitted that I should disregard in their entirety, materials filed by the appellants on July 14, 2026, titled "Appellants' Supplementary Submissions Regarding Reporting of Unresolved Allegations Procedural Conduct Disability Related

Prejudice and Preservation of Rights (“Supplementary Submissions”) and “Book of Exhibits to the Appellants’ Supplementary Submissions” (“Book of Exhibits”) because they were served and filed after the June 30, 2026, deadline set by the Tribunal on January 21, 2026.

[16] The respondent submits that if I intend to give consideration to the late filed submissions of the appellants then I should issue a formal directive of my intent to do so and permit the respondent to file responding submissions within seven days of my formal directive.

[17] The appellants submit that I should accept their materials for filing because Mr. Al-Jadir is a self- represented appellant with a “documented psychiatric disability who is under continuing medical treatment and significant medication that affects his ability to process complex procedural requirements, organize evidence and communicate under pressure within the same time and manner as a medically unaffected represented party”.

[18] The appellants submit that the aforementioned materials were submitted as soon as Mr. Al-Jadir was reasonably able to organize the relevant evidence and articulate its significance.

[19] The appellants further submit that the Tribunal should exercise its procedural discretion “based on the principles of fairness, accessibility, proportionality and meaningful participation” to allow the late filing of their materials.

[20] The appellants did not submit any evidence in support of Mr. Al-Jadir’s contention that his materials were late filed because of his “psychiatric disability and significant medication”.

[21] Rule 3.1(c) of the Licence Appeal Tribunal Rules (the “Rules”) states that the Rules be liberally interpreted to “facilitate a fair open and accessible process to allow effective participation by all parties whether they are self represented or have a representative.”

[22] Rule 3.2 of the Rules states that “the Tribunal may vary or waive the application of any Rule or procedure on its own initiative or at the request of a party except where to do so is prohibited by legislation and that the Tribunal may make such orders or give such directions in proceedings before it to control its own process.

[23] I will allow the late filing of the appellants materials titled Supplementary Submissions and Book of Exhibits.

[24] I base my decision on Rule 3.1(c) and Rule 3.2.

[25] Although the appellants did not provide evidence in support of Mr. Al-Jadir’s medical disability, I note that in his motion decision dated March 12, 2026, Adjudicator Beauchesne acknowledged that after hearing confidential personal medical information from Mr. Al-Jadir, Adjudicator Beauchesne was satisfied that Mr. Al-Jadir was entitled to be accommodated under the *Human Rights Code,* R.S.O. 1990 c. H.19.

[26] I find that as a matter of fairness the appellants should be allowed to late file their materials. I base my decision on Rule 3.1(c) that the Rules be liberally interpreted to facilitate a fair, open and accessible process. I accept that Mr. Al-Jadir has difficulty compiling and submitting documents and I find that it would be unfair not to allow him to late file his materials. I note that the appellants materials were filed fourteen days after the June 30, 2026. Given my finding with respect to Mr. Al-Jadir’s need for accommodation I do not find fourteen days to be an inordinate delay.

[27] I also rely on Rule 3.2 that allows the Tribunal to waive the application of any rule or procedure on its own initiative except where to do so is prohibited by legislation. I am not aware of any legislation that would prohibit me from waiving the procedural deadline of June 30, 2026, that was set by the Tribunal on January 21, 2026.

[28] With respect to the respondent’s submissions that if I intend to give consideration to the late filed materials of the appellants, I issue a formal directive of my intent to do so and permit the respondent to file responding submissions within seven days of my

formal directive, I decline to do so. I do not require any further submissions from the respondent in response to the appellants' submissions.

ANALYSIS

The Law

[29] Section 4(1)(a) of the *Act* provides that no person shall act as a motor vehicle dealer unless the person is registered as a motor vehicle dealer under the *Act.*

[30] Section 4(1)(b) of the *Act* provides that no person shall act as a motor vehicle salesperson unless he or she is registered as a salesperson.

[31] Section 6(1) of the *Act* provides that subject to circumstances set out in that section; a registrant is entitled to registration.

[32] Section 8(1) of the *Act* allows the Registrar to revoke a registration if in his or her opinion the registrant is not entitled to registration under s.6 of the *Act.*

[33] Section 6(1)(a)(ii) of the *Act* provides that one of the grounds the Registrar may rely upon to revoke a registration is "if the past conduct of the applicant … affords reasonable grounds for belief that the applicant will not carry on business in accordance with law and with integrity and honesty.

[34] Section 6(1)(d)(iii) of the *Act* provides that one of the grounds the Registrar may rely upon to revoke a registration of an applicant, if the applicant is a corporation is, "if the past conduct of its officers or directors … affords reasonable grounds for belief that the business will not be carried on accordance with the law and with integrity or honesty.

[35] The jurisdiction of this Tribunal comes from section 9(5) of the *Act* which provides that the Tribunal "may by order direct the registrar to carry out the registrar's proposal or substitute its opinion for that of the registrar and the Tribunal may attach conditions to its order or a registration".

[36] The Ontario Motor Vehicle Industry Council ("OMVIC") has been designated by statute as the sole administrative authority for the purpose of administering all provisions of the *Act* except for section 24 (which section, is not relevant to this appeal) as well as all regulations made under the *Act.*

Does the past conduct of the appellants afford reasonable grounds for the belief that they will not carry out business in accordance with the law and with integrity and honesty?

[37] I find that the past conduct of the appellants affords reasonable grounds for the belief that they will not carry out business in accordance with the law and with integrity and honesty.

[38] The respondent filled affidavits from the following individuals:

Consumers:

- Matthew Lawson (sworn April 2, 2026)
- Anara Ferguson-Carscadden (Sworn April 7, 2026)
- Charlen Lagmay (sworn January 19, 2026)
- Rand Al ~~Towell~~ **Taweed** (sworn April 6, 2026)
- Ben Stevens (sworn April 4, 2026)
- Maica Dela Cruz (sworn April 6, 2026)
- **Diane Crawford (sworn April 5, 2025)**

Investigators from OMVIC

- ~~Dan~~ **Don** Cousens (sworn April 6, 2026)
- Michael "Mike" ~~Keen~~ **Kean** (sworn April 6, 2026)
- Todd Pearce (sworn April 1, 2026)
- Jennifer Andrew (sworn April 1, 2026)

Representatives of the Registrar

- Agni ~~Pipilos~~ **Pipilas** (sworn April 16, 2026)
- Sarah Dumont (sworn March 31, 2026)
- Brendan Fernandes (sworn April 1, 2026)

Staff Member of Impact Auto Auctions

- ~~Tracey~~ **Tracy** Nichol (sworn April 1, 2026)

[39] The appellant did not cross-examine any of the above noted affiants, despite being given the opportunity to do so.

[40] In his affidavit sworn April 2, 2026, Agni Pipilas deposed that ~~he~~ **she** is a Senior Registration Officer employed by OMVIC as part of its Registration Department. Exhibit "A" to ~~his~~ **her** affidavit contains an application for registration completed on December 23, 2023, in which the appellant Mr. Al-Jadir affirms that the appellant, GTA is a corporation and that he had the authority to submit the application.

[41] A Profile Report dated May 14, 2025, from the Ministry of Public and Business Service Delivery and attached as Exhibit "C" to the affidavit of Don ~~Cousins~~ **Cousens** indicates that, as of May 25, 2023, Mr. Al-Jadir became an active director of GTA. The Profile Report also indicates that there are no active officers currently on file for GTA.

[42] In ~~his~~ **her** affidavit sworn April 2, 2026, Agni Pipilas also deposed that the appellant Mr. Al-Jadir was a registered motor vehicle salesperson under the *Act,* for the appellant GTA.

[43] In his affidavit sworn April 16, 2026, Don ~~Cousins~~ **Cousens** deposed that he was the lead investigator with respect to the regulatory offences alleged in the NOP made with respect to GTA and Mr. Al-Jadir. Mr. ~~Cousins~~ **Cousens** deposed that on May 14, 2024, information was forwarded to OMVIC by an anonymous source that GTA and Mr. Al-Jadir were trading in motor vehicles from a non-authorized location. As a result of this information Mr. ~~Cousins~~ **Cousens** commenced an investigation into GTA and Mr. Al-Jadir.

[44] On September 10, 2024, Mr. ~~Cousins~~ **Cousens** accompanied by an OMVIC Investigator Mike Kean executed a search warrant during which time they seized eight deal files from the appellants' business.

[45] Consumers Matthew Lawson, Anara Ferguson-Carscadden, Charlen Lagmay, Ben Stevens and ~~Dianne~~ **Diane** Crawford all deposed that the appellants added or altered comments to the Retail Bills of Sale ("REBOS") they were provided with from the appellants. Anara ~~Feruson-Cascadden~~ **Ferguson-Carscadden** deposed that a REBOS seized by OMVIC during its investigation contains a signature that is not hers. Charlen Lagmay deposed that a REBOS seized by OMVIC investigators contains signatures that are not hers. Ben Stevens deposed that a REBOS seized by OMVIC investigators contains a signature that is not his. Diane Crawford deposed that a REBOS seized by OMVIC investigator contains initials that are not hers.

[46] The respondent submits that by altering the contents of the REBOS the appellants contravened section 26 of the *Act.* Section 26 reads that "no registrant shall falsify, assist in falsifying or induce or counsel another person to falsify or assist in falsifying any information or document relating to a trade in motor vehicles".

[47] I find that the appellants contravened section 26 of the *Act.* The evidence presented by the respondent in the various affidavits has not been challenged or contradicted by the appellants. I accept that evidence in support of my decision that the appellants contravened section 26 of the *Act.* That evidence has not been challenged or contradicted by the appellants. I find that because the appellants falsified documents relating to trades in motor vehicles, the respondent has reasonable grounds for belief that the appellants will not carry on business in accordance with the law and with honesty and integrity.

[48] Consumers Matthew Lawson, Anara Ferguson-Carscadden, Charlen Lagmay, Rand Al-Taweel, Ben Stevens and Diane Crawford all deposed that the appellants failed to disclose to them in their REBOS that the vehicles they had purchased from the appellants had previously been declared a total loss by an insurer.

[49] The respondent submits that by failing to disclose declarations of total loss in the REBOS the appellants contravened s. 42(21) of O. Reg. 333/08. Section 42(21) requires

that contracts of sale shall disclose if a motor vehicle was declared by an insurer to be a total loss.

[50] I also find that the appellants contravened s. 42(21) of O. Reg. 333/08. The evidence of Matthew Lawson, Anara Ferguson-Carscadden, Charlen Lagmay, Rand Al-Taweel, Ben Stevens and Diane Crawford, has not been challenged or contradicted by the appellants. I accept that evidence in support of my decision that the appellants contravened s. 42(21) of O. Reg. 333/08 by failing to disclose to these consumers that the vehicles they had purchased from the appellants had previously been declared a total loss by an insurer. I find that by failing to disclose that the vehicles had previously been declared a total loss the respondent has reasonable grounds for belief that the appellants will not carry on business in accordance with the law and with honesty and integrity.

[51] In ~~his~~ **her** affidavit, Agni Pipilas deposed that the appellants were approved to operate out of a dealership located at 4450 Ontario Street Unit B144 Beamsville ON. Before granting approval, OMVIC required the appellants to sign Terms and Conditions including obligations that it would operate from the approved Beamsville location and not change locations without OMVIC approval. On March 13, 2024, the appellant Al-Jadir signed and returned the Terms and Conditions. OMVIC approved the change on March 13, 2024, and on March 26, 2024, confirmed that the registration process was complete. Mr. Pipilas deposed that during his dealings with the appellants, the address 1000 Dundas Street East Mississauga was never mentioned and that his review and approval were based solely on the Beamsville location.

[52] In an affidavit sworn on March 31, 2026, Sarah Dumont a Senior Registration Officer at OMVIC deposed that on June 25, 2024, the appellant Faisal Al-Jadir on behalf of GTA submitted a Business Change Notice requesting to change the dealerships registered business address from 4450 Ontario Street Unit B144 Beamsville ON to 1000 Dundas Street East Unit 17, Mississauga ON. On July 3, 2024, OMVIC approved the address change as a result of which, effective July 3, 2024, the appellant GTA became authorized to trade in motor vehicles from 1000 Dundas Street East Mississauga ON.

[53] In their affidavits, Matthew Lawson, Anara Ferguson-Carscadden, Charlen Lagmay, Diane Crawford and Rand Al-Taweel all depose that they attended at the appellants' dealership at 100 Dundas Street East, Mississauga ON to purchase vehicles prior to July 3, 2024.

[54] The respondent submits that by trading in motor vehicles between March 2024 and July 2, 2024, the appellants breached s. 28(4) of O. Reg. 333/08 which reads "except for advertising, a registered motor vehicle dealer other than a motor vehicle dealer registered only as a broker shall not trade except from a place authorized by the dealer's registration". The respondent submits that the appellants only obtained approval to trade in motor vehicles at 1000 Dundas St. East Mississauga on July 3, 2024. The respondent submits that by carrying on business at 1000 Dundas St. East Mississauga several months prior to obtaining approval to do so, the appellants demonstrated a lack of regard for regulatory compliance and an unwillingness to comply with the terms and conditions of GTA's licence.

[55] I find that the appellants breached s. 28(4) of O. Reg. 333/08. The evidence presented by the respondent in the affidavits of Matthew Lawson, Anara Ferguson-Carscadden, Charlen Lagmay, Diane Crawford and Rand Al-Taweel shows that these various consumers attended at the appellants' dealership at 1000 Dundas St. East, Mississauga to purchase vehicles prior to July 3, 2024. I accept this evidence. It has not been challenged or contradicted by the appellants. I find that the appellants traded in motor vehicles from a place not authorized by their registration contrary to s. 28(4) of O. Reg. 333/08. I find that because the appellants traded in motor vehicle from a place not authorized by their registration, the respondent has reasonable grounds for belief that the appellants will not carry on business in accordance with the law and with integrity and honesty.

[56] As I noted earlier, the appellants submissions do not address any of the evidence presented by the respondent, but rather, express concern about the information contained in the public profile of the appellants shown on the OMVIC website. The appellants submit that the publication of this information is capable of affecting

consumers, lenders, insurers, professional contacts, witnesses, business relationships and the appellants' reputation before the merits of this case are adjudicated.

[57] The appellants submit that the information on OMVIC's website has aggravated "the medical and functional prejudice" to the appellants already demonstrated before the Tribunal.

[58] The appellants also refer in their closing submissions to a motion brought by the respondent to increase its written witness submissions from 15 to 30 pages. The appellants submit that Mr. Al-Jadir had to study the motion, prepare responding materials arrange evidence and authorities to meet Tribunal deadlines and "divert limited medical and cognitive capacity from preparation of the merits." The appellants then note that the respondent withdrew the motion on the scheduled hearing date.

[59] The appellant submits that the withdrawal of the motion alone does not conclusively prove bad faith, but rather, did not erase the objective prejudice already caused in the form of unnecessary preparation, increased uncertainty, aggravation of psychiatric symptoms and a further procedural unbalance.

[60] None of the appellants' closing submissions are helpful in addressing the evidence presented by the respondent.

[61] The appellants do however submit that the appellants' business has ceased trading and that the appellants do "not presently intend to reactivate the registration or resume motor vehicle trading".

Conclusions

[62] The purpose of the *Act* is consumer protection designed (amongst other things) to protect the public from misconduct by motor vehicle dealers and salespersons.

[63] I find that by falsifying REBOS, failing to disclose when vehicles were declared a total loss by an insurer and by conducting business at a premises not approved by

OMVIC, the appellants have afforded the respondent reasonable grounds for belief that they will not carry on business in accordance with the law and with integrity and honesty disentitling them to registration pursuant to s. 6(1)(a)(ii) and s. 6(1)(d)(iii) of the *Act.*

Should the Tribunal attach conditions to an order of registration, pursuant to section 9(5) of the Act?

[64] The appellants have made no submissions with respect to this issue.

[65] The respondent submits that the appellants have demonstrated that they were not willing to abide by the terms and conditions attached to their registration by conducing business at 1000 Dundas St. East prior to, being authorized by OMVIC to do so.

[66] The respondent submits that the appellants history of deceitful conduct in falsifying REBOS and failure to disclose information about a vehicle's history shows that OMVIC cannot ensure compliance with the *Act* because OMVIC cannot rely on the appellants to maintain accurate records.

[67] The respondent submits that imposing terms and conditions will not bring about a change in the appellants' behavior.

[68] I agree with the submissions of the respondent that the imposition of terms and conditions will not bring about a change in the appellants' behavior.

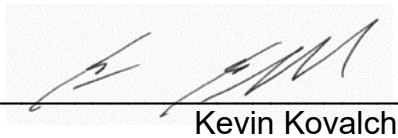
[69] The evidence has demonstrated to me that the appellants had a total disregard for the *Act* and regulations because they falsified records failed to disclose information about vehicle histories and carried on business at a location not approved by OMVIC. I find that the imposition of terms and conditions would not help to prevent the conduct the appellants have engaged in. It would be an onerous task for OMVIC to constantly monitor every sale made by the appellants to ensure that REBOS were not falsified and that a vehicle's history was disclosed to a purchaser. In addition, it would be equally

onerous to monitor the location of every transaction made by the appellants. I therefore decline to impose any terms and conditions on the appellants registration.

DECISION AND ORDER

[70] Pursuant to section 9(5) of the *Act* the Tribunal orders the Registrar to carry out the NOP to revoke the registration of the appellant GTA as a motor vehicle dealer and the registration of Mr. Al-Jadir as a motor vehicle salesperson under the *Act.*

Released: October 16, 2026



Kevin Kovalchuk
Vice-Chair

Licence Appeal Tribunal
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