

DISCIPLINE DECISION

REVIEWING PANEL: Sherry Darvish, Public Member
Joe Malfara, Registrant Member
Chris Pinelli, 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 -)
2234105 ONTARIO INC O/A NAWAB MOTORS)
- and -)
BARJINDER SINGH)
- and -)
ARUNPREET SINGH)

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: May 27, 2026

Findings: **2234105 Ontario Inc. o/a Nawab Motors (the “Dealer”) has breached the following:**

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

Barjinder Singh has breached the following:

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

Arunpreet Singh 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 ninety (90) calendar days from the date of the Discipline Tribunal's Order.
2. Barjinder Singh ("B. Singh") shall pay a fine in the amount of **\$500** no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
3. B. Singh 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.
4. Arunpreet Singh ("A. Singh") 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 April 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 in or about February 2012 and is currently registered under the Act.
2. B. Singh was registered as a salesperson on or about July 2018 and is currently registered under the Act. At all material times, Singh has been the Sales Manager and Person in Charge of the day-to-day activities of the Dealer.
3. A. Singh was first registered as a salesperson on or about June 2024 and is currently registered under the Act.

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:

All-In Pricing Violation

5. On or before November 17, 2025, the Dealer published an advertisement on its website for a 2018 Buick Encore (VIN: *2240), with an advertised price of \$17,999.
6. On or about November 19, 2025, a representative of OMVIC (the "Representative"), posed as a consumer and made inquiries about the 2018 Buick Encore (also known as a mystery shop).
7. A. Singh, acting on behalf of the Dealer, provided a typed note to the Representative and indicated that the selling price was \$17,999 plus HST and a \$999 fee.
8. A. Singh explained to the Representative that the additional \$999 was a certification fee. A. Singh further explained that the certification fee was mandatory.
9. The \$999 certification fee was added above the advertised price of \$17,999.
10. As a result, the Dealer's advertised vehicle price was not all-inclusive. This is contrary to section 36(7) of O. Reg. 333/08, as well as sections 4(2) and 9(3) of the Code of Ethics.

B. Singh's Non-Compliance:

11. B. Singh, as a Sales Manager and Person in Charge, failed to ensure 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(2) of the Code of Ethics.

A. Singh's Non-Compliance:

12. A. Singh, engaged in the 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.

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13. The above-noted registrants have indicated to the Registrar, that proactive steps have been taken to ensure that A. Singh and other salespersons are aware of the all-in pricing requirements, the internal advertising procedure reviewed and have taken steps to ensure motor vehicle trades are conducted in accordance with the requirements.

Code of Ethics Violations

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

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 and A. Singh 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, B. Singh, has violated the following section of the Code of Ethics:

Professionalism

s. 9(2) In carrying on a business, a registrant shall act with honesty, integrity and fairness.

16. As particularized above, B. Singh and A. Singh 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 B. Singh has breached sections 6(2) and 9(2) of the Code of Ethics, and that A. Singh 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 Panel is satisfied that the penalty meets the purpose of general and specific deterrence and is hopeful that if there is a future inspection that the dealer will be in compliance with all of its obligations under the Code of Ethics. The Panel notes that the penalty is consistent with previous decisions of this Tribunal and that it does not bring the administration of justice into disrepute.

Ontario Motor Vehicle Industry Council
Discipline Tribunal

Dated: May 27, 2026

S. Darvish

Sherry Darvish, Public Member

On behalf of:
Joe Malfara, Registrant Member
Chris Pinelli, Registrant Member