

DISCIPLINE DECISION

REVIEWING PANEL: Sherry Darvish, Public Member
Joe Malfara, Registrant Member
Mike Ball, 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 -)
1011613 ONTARIO LIMITED O/A)
AUTOHOUSE KINGSTON)
- and -)
BRADIE JOHNSTON)
- and -)
TIFFANY MICHEALLE GRANT)
)

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: April 13, 2026

Findings: **1011613 Ontario Limited o/a Autohouse Kingston (the “Dealer”)**
has breached the following:

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

Bradie Johnston (“B. Johnston”) has breached the following:

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

Tiffany Michealle Grant (“Grant”) 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 **\$2,500** no later than ninety (90) calendar days from the date of the Discipline Tribunal’s Order.
2. B. Johnston shall successfully complete the OMVIC Advertising Compliance Webinar, no later than ninety (90) calendar days from the date of the Discipline Tribunal’s Order.
3. Grant shall successfully complete the OMVIC Advertising Compliance Webinar, no later than ninety (90) calendar days from the date of the Discipline Tribunal’s Order.
4. 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 February 11, 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 Kenneth Johnston and contained in paragraphs 2, 11, 12 and 14 of the Notice of Referral to Discipline (“NORD”) dated July 21, 2025, are withdrawn.

Background:

1. The Dealer was first registered as a motor vehicle dealer under the Act in and around February 1993.
2. Bradie Johnston (“B. Johnston”) was first registered as a salesperson on or around June 6, 2002. At all material times, B. Johnston has been the General Manager and a Person in Charge of the day-to-day activities of the Dealer
3. Tiffany Michealle Grant (“Grant”) was first registered as a salesperson under the Act in and around October 2017. At all material times, Grant has been the Finance Manager of the Dealer.

OMVIC Publications

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 pricing obligations. Educational materials continue to be available on OMVIC's website.

Direct Correspondence with Dealer

5. On or about December 3, 2021, a representative of the Registrar reminded the Dealer to advertise all-inclusive prices, as required pursuant to section 36(7) of O. Reg. 333/08 and the Code of Ethics.
6. On or about August 14, 2023, a representative of the Registrar reminded the Dealer to advertise all-inclusive prices, as required pursuant to section 36(7) of O. Reg. 333/08 and the Code of Ethics.
7. On or about December 11, 2023, a representative of the Registrar reminded the Dealer to advertise all-inclusive prices, as required pursuant to section 36(7) of O. Reg. 333/08 and the Code of Ethics.

Dealer's Non-Compliance:

8. On or before June 11, 2025, the Dealer published an advertisement for a black 2023 Ford Edge SE, stock# 11289, (VIN *** A08917), with an advertised price of \$28,995.
9. On or about June 11, 2025, a representative of OMVIC (the "Representative") made inquiries about the vehicle, while posing as a member of the public (also known as a 'mystery shop').
10. Grant, acting on behalf of the Dealer, provided the Representative with a worksheet, which indicated that the \$12.50 OMVIC fee had been added above the vehicle's advertised price.
11. 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. Johnston's Non-Compliance:

12. B. Johnston, as a Person in Charge, 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.

Grant's Non-Compliance:

13. In regard to the above-noted vehicle, Grant 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.

Code of Ethics Violations

14. As particularized above, the Dealer and Grant 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.

15. As particularized above, the Dealer, Grant and B. Johnston 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.

16. As particularized above, B. Johnston and Grant 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. Johnston has breached sections 6(2) and 9(3) of the Code of Ethics, and that Grant 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

In arriving at its decision, the Panel reviewed the facts of this case, submitted case law and decisions of the Discipline and Appeals Tribunal.

The Panel accepts that there have been diligent efforts on the part of both parties to reach a settlement agreement, saving the time and expense of a contested hearing. The Panel accepts the submission that the Respondents have taken responsibility for their misconduct and are committed to avoiding future non-compliance. The Panel finds that the proposed penalty is in keeping with previous precedents and case law regarding similar breaches of the Code of Ethics.

The agreed upon penalty satisfies the sentencing principles of specific and general deterrence, maintains public trust, meets the objectives of rehabilitation and remedial action, and that the proposed penalty is in the public interest. The Panel therefore accepts the joint submission.

Ontario Motor Vehicle Industry Council
Discipline Tribunal

Dated: April 13, 2026

S. Darwish

Sherry Darwish, Public Member

On behalf of:
Joe Malfara, Registrant Member
Mike Ball, Registrant Member