

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 -)
GH MOTORS LP O/A)
GUELPH HYUNDAI)
- and -)
JAWAD HAKIM)
)

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: **GH Motors LP o/a Guelph Hyundai (the “Dealer”) has breached the following:**

- Section 4(3) of the *Motor Vehicle Dealers Act, 2002, c. 30, Sched. B*, (“the Act”), and
- Sections 4(2), 9(3) and 5 of the Code of Ethics, O. Reg. 332/08

Jawad Hakim 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 **\$9,000** no later than 90 calendar days from the date of the Discipline Tribunal's Order.
2. Jawad Hakim shall successfully complete (with a passing grade of at least 80%) the MVDA Key Elements Course no later than 90 calendar days from the date of the Discipline Tribunal's Order.
3. 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 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 29, 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:

Withdrawal:

The allegation in paragraph 12(c) of the Notice of Referral to Discipline (the "NORD"), dated November 14, 2025, relating to a 2022 Toyota Corolla (VIN 8733), is withdrawn.

Background:

1. The Dealer was first registered as a motor vehicle dealer under the Act in and around December 13, 2016.
2. Jawad Hakim ("Hakim") was first registered as a motor vehicle salesperson under the Act in and around May 8, 2001.
3. Hakim has been the Person in Charge of the day-to-day activities of the Dealer since June 1, 2023.

Educational Resources

4. Since the Act was proclaimed in 2010, OMVIC has issued various educational materials, including publications, webinars and guidelines, reminding registrants of:
 - a. Their all-in price advertising obligations; and,
 - b. The obligation to disclose, in writing, on the retail bill of sale ("RBOS"), if the vehicle being sold was previously used as a daily rental.
5. Educational resources about these obligations are available on OMVIC's website.

Reminders to Comply

6. In or around September 8, 2021, following an inspection, a representative of the Registrar reminded Jeff Copan, acting on behalf of the Dealer, that it is required to disclose, in writing, on the RBOS if the vehicle being sold was previously used as a daily rental in accordance with section 36(5) of Ontario Regulation 333/08 and the Code of Ethics.
7. On or about February 24, 2025, the Registrar issued a formal warning letter to the Dealer and Hakim. The letter reminded them of their obligations to:
 - a. Comply with their all-in price obligations under s. 36(7) of O. Reg. 333/08 and the Code of Ethics; and
 - b. Disclose, in writing, on the RBOS if the vehicle being sold was previously used as a daily rental under s. 36(5) of O. Reg 333/08 and the Code of Ethics.

Inspection

8. On August 7, 2025, an inspector appointed by the Registrar (“the Inspector”) conducted an inspection of the Dealer.
9. The inspection revealed multiple instances of non-compliance with the Act and its regulations, as are particularized below.

Dealer’s Non-Compliance

A. Unregistered Salespersons

10. In violation of section 4(3) of the Act, the Dealer failed to ensure that all sales staff were registered as salespersons before they engaged in the trade of a motor vehicles on behalf of the Dealer.
11. In or around March 4, 2025, the registration of Spartak Jeshili (“Jeshili”), a salesperson employed by the Dealer, lapsed.
12. Jeshili sold the following vehicles while unregistered:
 - a. 2025 Hyundai Santa Cruz (VIN *3730)
 - b. 2025 Hyundai Palisade (VIN *1617).
 - c. 2025 Hyundai Santa Cruz (VIN *8176)
 - d. 2025 Hyundai Palisade (VIN *9926).
 - e. 2025 Hyundai Palisade (VIN *9709).

B. Non-Disclosure of Vehicle’s Previous Daily Rental Use

13. In violation of section 5 of the Code of Ethics, the Dealer failed to disclose in writing, on the bill of sale, that the following vehicles it sold were previously used as a daily rental:
 - a. 2023 Audi Q7 (VIN 0297); and,
 - b. 2022 Kia Rio (VIN 5421)

C. Violation of the All-In Pricing Rules

14. The Dealer advertised a 2020 Hyundai (VIN 5669) for \$15,977 plus sales tax. However, when the vehicle was sold, an additional \$599 documentation fee and a \$12.50 OMVIC fee were added, neither of which had been included in the advertised price.
15. The Dealer advertised a 2024 Maverick (VIN 9355) for \$37,059 plus sales tax. However, when the vehicle was sold, an additional \$599 documentation fee and a \$12.50 OMVIC fee were added, neither of which had been included in the advertised price.
16. The Dealer stated that the \$599 was to be credited back to the consumer; however, there is no documentation indicating that this had been done.
17. The Dealer's practice is contrary to section 36(7) of O. Reg. 333/08 and sections 4(2) and 9(3) of the Code of Ethics.

Hakim's Non-Compliance

18. As the Person in Charge of the day-to-day activities of the Dealer, Hakim failed to ensure that the Dealer conducted its business in compliance with the law, and thus, personally contravened sections 6(2) and 9(3) of the Code of Ethics.

Generally

19. The parties have advised the Registrar that they have implemented proactive measures, including revisions to their internal processes, to ensure ongoing compliance with all-in pricing and disclosure requirements, and that all salespersons engaged by the dealership are duly registered.

Violations

20. As particularized above, the Dealer has violated the following sections 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.

Disclosure of information in contracts of sale and lease

5. A registered motor vehicle dealer who enters into a contract to sell or lease a motor vehicle to a person who is also a registered motor vehicle dealer shall ensure that the following information is disclosed in the contract:

5. If any of the following is true of the vehicle, a statement to the effect that the vehicle was previously,

- i. leased on a daily basis, unless the vehicle was subsequently owned by a person who was not registered as a motor vehicle dealer under the Motor Vehicle Dealers Act or the Motor Vehicle Dealers Act, 2002,

21. As particularized above, the Dealer has violated the following section of the Act:

Unregistered salesperson

s. 4(3) A motor vehicle dealer shall not retain the services of a salesperson unless the salesperson is registered in that capacity.

22. As particularized above, the Dealer and Hakim 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.

23. As particularized above, Hakim has 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), 9(3) and 5 of the Code of Ethics, as well as section 4(3) of the Act, and that Jawad Hakim 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 is consistent with previous decisions of this Tribunal and that it meets the objectives of a penalty and that it does not bring the administration of justice into disrepute.

Ontario Motor Vehicle Industry Council
Discipline Tribunal

Date Signed: June 9, 2026

S. Darvish

Sherry Darvish, Public Member

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