



**Ontario Motor Vehicle Industry Council**

789 Don Mills Road, Suite 800, Toronto ON M3C 1T5  
Tel: 416-226-4500 Fax: 416-226-3208 Toll-Free: 1-800-943-6002

**BRANCH APPLICATION**

This application is to be completed by registered dealerships seeking approval for an additional location from which to operate. Please review the information on the reverse of this form before completing it. For the purpose of this form, "applicant" is the registered dealership referred to in Section A, below.

**SECTION A: GENERAL INFORMATION**

Legal Name of the Head Office: \_\_\_\_\_

Business (Trade) Name of Head Office (if applicable): \_\_\_\_\_

Head Office Registration Number:

**SECTION B: PAYMENT INFORMATION**

The applicable fee for branch application is \$250.00. Fees must be made payable to the "Ontario Motor Vehicle Industry Council." In any event, this processing fee will not be refunded after your application is processed. Refund requests will be considered only if they are received within 48 hours.

**PAYMENT METHOD**

Please check appropriate box: Cheque  Certified Cheque  Cash  Money order  Credit Card

\*\*\* If you are paying by credit card, please fill out the credit card payment form at the end of this application.

*Note: A service charge fee will apply for all NSF cheques or declined credit payments.*

**SECTION C: BRANCH INFORMATION**

If you are registered in the "General Dealer" or "Broker" class, you will need to make a further contribution to the Motor Vehicle Dealers Compensation Fund in the amount of \$339 by certified cheque or money order.

Business (Trade) Name of Branch (if different from head office): \_\_\_\_\_

*Please note: Names deemed to be misleading will not be approved. See reverse for details.*

*For office use only*

Registration Number <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Payment Reference Number <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
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Business Premises in Ontario – The premises cannot be a dwelling unless you have selected the “Wholesaler” or “Broker” class.

### Branch Location

Street #: \_\_\_\_\_ Street Name: \_\_\_\_\_ Street Type: \_\_\_\_\_

Street Direction: \_\_\_\_\_ Unit #: \_\_\_\_\_ City: \_\_\_\_\_

P.O. Code: \_\_\_\_\_ Business Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Business Fax #: \_\_\_\_\_ Internet (http://) \_\_\_\_\_ Email: \_\_\_\_\_

Can you receive mail at the Business Premises specified above?

Yes  No If not, please provide an explanation and an alternate mailing address in Ontario. Please note, an alternate mailing address may not be approved (see reverse for details).

The applicant cannot receive mail at this business premises because:

\_\_\_\_\_

### Alternate Branch Mailing Address (if applicable)

Street #: \_\_\_\_\_ Street Name: \_\_\_\_\_ Street Type: \_\_\_\_\_

Street Direction: \_\_\_\_\_ Unit #: \_\_\_\_\_ City: \_\_\_\_\_

P.O. Code: \_\_\_\_\_

1. Will this proposed location accommodate an exclusive office for the dealership?

Yes  No

2. Will this be the only business of any kind operating at the premises and unit number specified above? If “no,” please list other businesses at this location.

Yes  No

3. If you plan on doing retail transactions, will you have permanent signage that is clearly visible to the consumer?

Yes  No  N/A

4. With respect to the business premises indicated above, does the applicant own, rent or lease?

Own  Rent/ Lease  Other

Please attach copies of proof of ownership, deed or recent property tax bill in applicant’s name if the applicant owns the property. Otherwise, please provide the lease or rental agreement. Note: subleases will not be accepted without a copy of the primary lease confirming subleasing is permitted.

Please attach an explanation if you’ve answered “no” to Questions 1 – 3.

### SECTION D: INDIVIDUAL CHANGES

1. Will there be any changes to the partners, officers, directors, shareholders, signing officers or person in charge of the dealership?

Yes  No

If “yes,” please complete and submit an “Business Change Notice – Individuals” form.

**SECTION E: CONSENT AND UNDERTAKING**

I confirm that I have not misrepresented or omitted any material facts in any document or statement made in support of this application. I understand that each statement is subject to verification. I understand it is a serious offence to knowingly provide false information in connection with this application. **I further understand the provision of false, incomplete or misleading information, or the omission of information in this application or the documents submitted with it, may result in the refusal, suspension or revocation of registration.**

In order to complete or verify the information provided on this form, it may be necessary for OMVIC to collect additional information from, or to exchange information with, government and relevant non-government sources regarding the applicant, its officers, directors, partners and shareholders. On request by OMVIC, I agree to furnish any required authorization or release to obtain information. I consent to the collection of this information as authorized under the *Motor Vehicle Dealers Act 2002* ("the Act"). I understand this information will be used to determine whether I am and remain qualified for the registration for which I am applying or to ensure compliance with the Act. Only information relevant to my registration will be collected. I further consent to the sharing of any information gathered in the course of processing this application with others as may be considered necessary in the course of determining whether I am and remain qualified for registration or to ensure compliance with the Act. **I understand the consent to the collection and sharing of this information remains ongoing throughout the term of my registration and during the application process.**

**I understand I must notify OMVIC in writing within five days of any changes to this information which occurs following this application being filed.** I confirm I have retained a copy of this application for my records.

The registration record, which includes the applicant's name, registration number, business address and registration dates, is part of the public record.

The applicant understands it is a violation of the Act to conduct business as a motor vehicle dealer without benefit of registration from OMVIC.

**I confirm that I have read and understood the information provided on the reverse of this application.**

I certify the information provided by the undersigned in support of this application is, to the best of my knowledge and belief, true.

**I certify that I am an authorized representative of the applicant (i.e., an officer, director, partner, sole proprietor).**

Name of Authorized Individual/Employer:

Signature of Authorized Individual:

\_\_\_\_\_

\_\_\_\_\_

Date Signed (YYYY/MM/DD):

Position of Authorized Individual/Employer:

\_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_

Dealership Business Phone:

Dealership Fax:

\_\_\_\_\_

\_\_\_\_\_

**PAYMENT METHOD**

Payment Method: Visa  MasterCard  Cash  Cheque  Money order

Credit Card #: \_\_\_\_\_ Expiry Date: \_\_\_\_/\_\_\_\_

Print Cardholder Name: \_\_\_\_\_ Cardholder Signature: \_\_\_\_\_

Note: A service charge fee will apply for all NSF cheques or declined credit payments.

## BRANCH APPLICATION INFORMATION

The following information is provided as a guideline only. You are encouraged to review the relevant sections of *The Motor Vehicle Dealers Act 2002* ("The Act") and its regulations and to consult with your lawyer if you have any questions. After reviewing this information, if you have any questions about completing this form, please call OMVIC at 416-226-4500 (Toronto) or toll-free at 1-800-943-6002.

### SECTION C: BRANCH INFORMATION

**Business (Trade) Name** – Please attach a copy of your registration of new business name (Master Business Licence). Sole proprietors, partnerships (general or limited) and corporations can operate under a business or trade name other than their own (for example, "John and Mary's Auto Sales"). Any business name must be registered with the Ministry of Consumer Services – Companies Branch, or with Ontario Business Connects (OBC) through their Master Business Licence (MBL) registration. A Business Identification Number (BIN) is assigned to a registered business name.

**Misleading Names** – OMVIC reserves the right to refuse registration to an applicant who proposes to conduct business under any name which is deemed to be misleading. For instance, names which incorporate words or phrases such as "wholesale," "at cost," "liquidation" and "factory direct" may lead customers to believe they will enjoy special pricing otherwise unavailable. If you have any questions about your proposed name, please contact OMVIC prior to submitting your application.

**Branch Location** – This is the location from which you will be operating your branch. If you own the property, please provide a copy of your deed or a recent property tax bill. We reserve the right to refuse your application if this documentation differs in any material respect from the information previously provided by you. Once you are approved, an OMVIC inspector will be scheduled to visit your dealership. These inspections are not always done by scheduled appointment so please ensure you have a visible sign and your office is set up with your books and records available for inspection. At any time during this process, your application may be refused if any information comes to our attention relating to your past conduct, dealership makeup or financial position. If your application is refused, you will be advised as soon as possible.

You will not be allowed to operate from a residence unless you are seeking registration in the "Wholesaler" or "Broker" class. In order to be approved to operate your "Wholesaler" or "Broker" class dealership from a residence, you will need to establish an acceptable records storage address.

*The Act* requires that you operate your business from a location that is approved by OMVIC. For your location to be approved by OMVIC, it should meet the following criteria:

- You can receive mail there. (Note: If your dealership is located in an area where Canada Post does not do door-to-door delivery, we will accept an alternate mailing address.)
- The property is secure enough to allow you to store your books and records there.
- There is sufficient space for an office for you to conduct business (e.g., administrative paperwork, etc.) and where you can invite potential customers/clients.
- There is sufficient space for you to display, store or service vehicles (if applicable).

Your business location address must be in the format shown on this application. Addresses which include Routes, P.O. Boxes, General Delivery, Suburban Services, Lot, Concession, Plan or Block numbers are not accepted. If you don't know the street assigned to your business location, you should contact your local municipality. (Civic address, also known as your 911 address). If you wish to include an alternative mailing address (e.g., Rural Route, PO Box, etc) please review instructions under the heading Mailing Address.

**Please refer to the "Records Storage Address" section for information about what records you are required to maintain.**

**Municipal Permit** – A letter or permit from your local municipality which confirms the zoning of the proposed location of your dealership. The property will need to be zoned for retail motor vehicle sales if:

- You are going to invite members of the public to trade in motor vehicles at this location.
- If you are going to store, display or service vehicles at your location.

If neither of the above conditions exist, you may be authorized to operate your business from a property that is zoned for commercial office use provided you have submitted an executed "Acknowledgement of Premises Restrictions."

For more information about obtaining a municipal permit or letter, contact the Planning or Licensing Department of the municipality in which your dealership will be located.

**Mailing Address** – Please provide an explanation if you need to have your OMVIC mail sent to an address other than your approved business location. For example, alternate mailing addresses will usually be accepted if the post office does not deliver mail to your business address. If this is the case, you should attach a letter from Canada Post confirming this. However, if your request for an alternate mailing address is the result of a problem with your approved business location (e.g., a lack of security), then you may be required to find another location from which to operate your dealership.

**Records Storage Address** – If you are seeking registration in either the “Broker” or “Wholesaler” classes of registration, you may be able to store your books and records at an alternate address. A records storage address must be a place where OMVIC representatives can have free access to all your books and records during normal business hours and you have provided written confirmation of that access from the custodian at that address.

Records kept at your business or records storage address must include but are not limited to:

- Records of motor vehicles (e.g., safety standard certificates, repair or reconditioning records, vehicle permits, etc.).
- Records relating to trades (e.g., consignment, lease, purchase, broker, trade-in, service plan or warranty agreements, payment and commission records).
- Records of business (e.g., employee records, records of associated persons, financing records, loan agreements, bank records, trust account records).

You must ensure records kept at your records storage address are no more than one month out of date.

If you are a registered Wholesaler or Broker and would like to request the Registrar’s approval for a record storage address, please submit a “Request for Records Storage Address” form.

## **SECTION D: INDIVIDUAL CHANGES**

**Person in Charge** – Is the person who has been assigned primary responsibility for (and has agreed to be accountable for) compliance with the *Act* and regulations.

**Officer** – Includes the chair and any vice-chair of the board of directors, the president and any vice-president, the secretary and assistant secretary, the treasurer and assistant treasurer and the general manager and the assistant general manager of a corporation or a partner or general manager and assistant manager of a partnership; any other individual designated as an officer by by-law or resolution or any other individual who performs functions normally performed by an individual occupying such office.

**Shareholder** – Includes any person (or group of related persons) who will have beneficial ownership or control of at least 10% of the equity shares of a corporation. This includes shareholders previously reported to OMVIC who have increased their holdings. Shareholders are also considered Interested Persons.

**Signing Officers** – The regulations to the *Motor Vehicle Dealers Act 2002* require dealers to report to OMVIC any changes regarding who will have signing authority on the dealer’s bank account, trust account (if applicable) or who will have authority to sign on behalf of the dealership.