

LAT Decision Summary

Applicant: Ronald Kennedy and Welcome to Kennedy Sales and Leasing Limited
Released: March 4, 2002
Appeal Date: April 4, 2002
Tribunal: Douglas Mackintosh, Vice-Chair
Disposition: Registration refused
Keywords: Leasing discounts, court order, unregistered salesperson, breach of terms and conditions and Brenner

Summary:

The Applicant was registered in May of 1997. After the revocation of his son (and a subsequent court order banning him from acting as a salesperson) and repeated proposals and settlements on terms and conditions, the Registrar made a final proposal to revoke the both the Applicant's registration as a salesperson and his company as a dealership.

The Tribunal found the activities on "the company premises were in breach of the consent orders." The Tribunal further stated the Applicant "has to take responsibility for this ... [as] ... the resulting problems were partly due to [the Applicant] not paying enough attention to the business and partly due to his own bad judgment."

However, it was the leasing discount operation, which was the most "important transgression." The Applicant's son's scheme to defraud the distributors involving at least 40 cars and was allowed to continue even after detected by the Applicant. The Tribunal further found the Applicant's "conduct [was] particularly reprehensible after the help he received from OMVIC. In the consent orders agreed to, OMVIC showed flexibility and sympathy for [the Applicant], as well as for his 20 employees. It gave [the Applicant] an unusual second and third chance."

Registration revoked.

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