

LAT Decision Summary

Applicant: Shiqer Bajrami
Released: July 4, 2003
Appeal Date: August 3, 2003
Tribunal: Derek Israel, Vice Chair; Elizabeth Bennett-Martin, Member; Irvin H. Sherman, Q.C., Vice Chair
Disposition: Registration refused
Keywords: Financial responsibility, past conduct, Ministry of Finance – Retail Sales Act, Brenner

Summary:

The Applicant, sole proprietor of S.B. Auto Centre, applied for registration as a motor vehicle dealer on October 24, 2002.

A credit check on the Applicant found Bajrami owed the National Bank the amount of \$16,000 and owed three separate creditors a total amount of \$6,432.00.

Pursuant to the credit check, it was found the Waterloo Regional Credit Union Limited obtained a default judgement against the applicant in the amount of \$7,757.00.

It was also found the Applicant entered into a sales agreement with Waterloo Nissan, but failed to make payment to the National Bank. The Applicant advised OMVIC he returned the vehicle when the financing interest rates changed from 8.7% to 18.7%, however the vehicle was actually repossessed by the bank. A copy of the sales contract clearly indicates the interest rate was 8.75%, not 18.7 as the Applicant alleged.

A credit check of S.B. Auto Centre revealed two of the business' cheques had been dishonoured and returned marked NSF. A bank statement for S.B. Auto was also obtained for the period September 20, 2002 to October 31, 2002 which indicated the account was overdrawn on 13 occasions during the time period. "For the bank account to be overdrawn some thirteen times during October 2002 does not imbue the Tribunal with any sense of confidence in the Applicant's financial position and his ability to be financially responsible if he were to be registered by the Registrar."

Finally, the Applicant owes the Ministry of Finance more than \$11,000 under the Retail Sales Act.

The applicant did not appear. The Tribunal ordered the Applicant to pay the Respondent the sum of \$800.00 in costs.

Registration refused.

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