## LAT Decision Summary

**Applicant:** Issahar Khan Sr. o/a Khartoum Auto Sales and Issahar Khan Jr.
**Released:** July 14, 2004
**Appeal Date:** August 13, 2004
**Tribunal:** Derek Israel, Vice Chair
**Disposition:** Dealer revoked
**Keywords:** Environmental Protection Act, Business Names Act, conduct

**Summary:**

The Tribunal refused a request by Khan Jr. for an adjournment. Khan Jr. then advised he was withdrawing his appeal to the Registrar's proposal as well as his application for reinstatement of registration as a motor vehicle salesperson. The hearing proceeded against Khan Sr.

Khan Sr. was registered as a motor vehicle dealer on January 17, 1997 and is currently registered as the sole proprietor of Khartoum Auto Sales. On December 18, 2003 he plead guilty to and was found guilty of the offence of selling a motor vehicle that did not comply with the regulations under the Environmental Protection Act.

On March 15, 2004 Khan Sr. purchased a Honda with an odometer reading of 263,635. Khan Sr. then sold that vehicle to a consumer disclosing it had travelled 172,364.

The Tribunal did not support the Registrar's position that there was false disclosure by Khan in regards to the Honda, but did find the conviction under the Environmental Protection Act industry-related and "must have consequences for him remaining registered in a regulated industry … to permit Khan Sr. to continue to operate as a motor vehicle dealer in view of his conviction would send a message to all consumers and the public generally that the Tribunal condones Khan Sr.'s conduct which the Tribunal finds was dishonest and outside the law."

Registration revoked.

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