

## LAT Decision Summary

**Applicant:** Darren Javid Khan  
**Released:** September 8, 2004  
**Appeal Date:** October 8, 2004  
**Tribunal:** Elizabeth L. Sproule, Presiding Member  
**Disposition:** Registration refused  
**Keywords:** Brenner, past conduct

### Summary:

The applicant applied for registration as a motor vehicle salesperson on December 2, 2003. The applicant has a criminal conviction relating to possession of a firearm.

On March 1, 2004 the applicant took \$10,000 from a consumer to be used as a deposit for a vehicle the applicant would purchase on behalf of the consumer. The consumer filed a complaint with OMVIC against the applicant on May 26, 2004 stating the vehicle purchased was unsatisfactory and she had not been refunded her money.

“The issue is whether the applicant’s 1998 conviction together with the more recent conduct leading to the consumer complaint provided reasonable grounds for concluding that the applicant will not carry on business in accordance with the law and with honesty and integrity. The Tribunal finds that it does. On its own the 1998 conviction may not have been fatal to the applicant’s request for registration given the age of the applicant at the time of the incident. However, his conduct with respect to the consumer complainant raises some serious and legitimate concerns. In engaging in the transaction with the consumer without proper registration the applicant demonstrated a clear disregard for the law and the details of his dealings with subsequent explanations cast serious doubt on his ability to conduct business with honesty and integrity. The Tribunal finds the Registrar’s conclusion, based on the past conduct of the applicant, reasonable.”

Registration refused.

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