

Tribunals Ontario  
Licence Appeal Tribunal

Tribunaux décisionnels Ontario  
Tribunal d'appel en matière de permis



**Citation:** Letichever and 1396960 Ontario Ltd. o/a Auto Quest v. Registrar, *Motor Vehicle Dealers Act, 2002*, 2021 ONLAT MVDA 12071

**Date:** 2022-03-08  
**File Number:** 12071/MVDA

Appeal from a Notice of Proposal to Revoke Registration and Refuse Registration dated February 25, 2019, by the Registrar pursuant to the *Motor Vehicle Dealers Act, 2002*, c. 30, Sch. B

**Between:**

**Garry Letichever and 1396960 Ontario Ltd. o/a Auto Quest**

**Appellants**

-and-

**Registrar, *Motor Vehicle Dealers Act, 2002***

**Respondent**

**CONSENT ORDER**

**ADJUDICATOR:** Lori Marzinotto, Vice Chair

**Date of Order:** March 8, 2022

## Overview

- [1] The appellant, Garry Letichever (“Letichever”) is currently registered as a motor vehicle salesperson under the *Motor Vehicle Dealers Act, 2002*, c. 30, Sch. B (the “Act”). The appellant, 1396960 Ontario Ltd. o/a Auto Quest (“Auto Quest”) submitted an application for registration as a motor vehicle dealer under the Act.
- [2] On February 25, 2019, the Registrar issued a Notice of Proposal to revoke Letichever’s licence as a motor vehicle salesperson, and to refuse Auto Quest’s application for registration as a motor vehicle dealer, under the Act.
- [3] The appellants appealed the Registrar’s proposal to revoke Letichever’s registration and to refuse Auto Quest’s registration.
- [4] The parties have advised the Tribunal that they were able to agree upon a settlement of all outstanding issues in this matter and have requested that the terms of settlement be incorporated into a Consent Order disposing of this proceeding.
- [5] The parties apply under s. 4.1 of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22 for an order of the Tribunal to dispose of this matter without a hearing.

## ORDER AND DIRECTION

- [6] Accordingly, on the consent of the parties and upon having reviewed the agreement signed by the appellants and the Registrar, the Tribunal, pursuant to the *Motor Vehicles Dealers Act, 2002* directs and orders that the appellants shall be bound by the terms of the consent agreement signed and executed by all of the parties.
- [7] The signed agreement is appended as **Schedule “A”** to this Order.
- [8] The hearing scheduled on March 28,29,30,31, April 1,4,5,6,7,8,11,12, 2022 shall be vacated.

[9] This Tribunal file shall be closed.

**LICENCE APPEAL TRIBUNAL**

A handwritten signature in cursive script, reading "L. Marzinotto", is enclosed within a thin black rectangular border.

**Lori Marzinotto, Vice Chair**

**Released: March 08, 2022**

LICENCE APPEAL TRIBUNAL

IN THE MATTER OF the Motor Vehicle Dealers Act, 2002, S.O. 2002, Chapter 30, Schedule B and Regulations, as amended

BETWEEN:

1396960 ONTARIO LTD. O/A AUTO QUEST  
Garry LETICHEVER

Appellants

-and-

REGISTRAR, MOTOR VEHICLE DEALERS ACT, 2002

Respondent

TO: Licence Appeal Tribunal  
Safety, Licencing Appeals  
& Standards Tribunals Ontario (SLASTO)  
PO Box 250  
Toronto, ON M7A 1N3

FROM: The Registrar  
Motor Vehicle Dealers Act, 2002  
OMVIC  
65 Overlea Blvd., Suite 300  
Toronto, ON M4H 1P1  
(Respondent)

AND FROM: 1396960 Ontario Ltd. o/a Auto Quest  
Garry Letichever  
(Appellants)

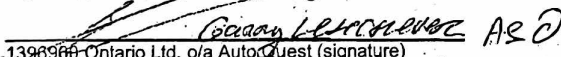
Pursuant to subsection 6(2) of the *Motor Vehicle Dealers Act, 2002*, 1396960 Ontario Ltd. o/a Auto Quest ("Auto Quest") and Garry Letichever (collectively the "Appellants") and the Registrar, *Motor Vehicle Dealers Act, 2002*, (the "Registrar"), in accordance with section 4.1 of the *Statutory Powers Procedure Act*, do hereby waive the requirements for a hearing and consent to an Order of the Licence Appeal Tribunal based upon the following Conditions.

1. Auto Quest will be granted registration as a motor vehicle dealer under the *Motor Vehicle Dealers Act, 2002* (the "MVDA"). This registration will take effect on the day this Order is made by the Licence Appeal Tribunal, but will be suspended for a period of one year thereafter ("Suspension Period").
2. After the Suspension Period will have passed, the registration of Auto Quest will become effective, subject to the Registrar's approval of a renewal application, which will not be unreasonably withheld, and as per the Conditions of this Order.
3. For the period of one year after this Order is made, Garry Letichever shall not control, act

on behalf (other than in his capacity as registered salesperson under the MVDA) or have a signing authority on behalf of any motor vehicle dealer registered under the MVDA.

- 4. The Appellants will comply with all requirements of the *Motor Vehicle Dealers Act, 2002* (the "MVDA") and Ontario Regulation 333/08, the *Code of Ethics* in Ontario Regulation 332/08, and the Ontario Motor Vehicle Industry Council ("OMVIC") Standards of Business Practice, 2010, as may be amended from time to time. They shall be responsible to read all correspondence, bulletins and Guidelines from OMVIC as released.
- 5. Auto Quest will provide the Registrar with notice in writing, within 20 business days, of any change in its officers or directors, pursuant to section 24 of the MVDA. Auto Quest will notify the Registrar of any change in its partners or owners, person(s) in charge, and signing authority for the dealership.
- 6. The Appellants will provide the Registrar with full and complete disclosure in all future correspondence and on all future applications, regardless of whether or not disclosure has been made previously to the Registrar.
- 7. In carrying on business under the MVDA, the Appellants shall not engage in any act or omission that, having regard to all of the circumstances, would reasonably be regarded as disgraceful, dishonourable, unprofessional or unbecoming of a registrant.
- 8. In carrying on a business under the MVDA, the Appellants shall act with honesty, integrity and fairness and will use their best efforts to prevent error, misrepresentation, fraud or any unethical practice in respect of a trade in a motor vehicle.
- 9. The Registrar may take further administrative action, including a proposal to suspend or revoke registration, arising from any matters that have occurred or may occur related to honesty and integrity, financial responsibility or compliance with the MVDA, Ontario Regulation 333/08, Ontario Regulation 332/08 or these Conditions.

Signed in the City of Toronto, this 28 day of February 2022.

  
 1398968 Ontario Ltd. o/a Auto Quest (signature)  
 Per:

Garry Letchever (signature)

These Terms and Conditions are accepted by the Registrar, *Motor Vehicle Dealers Act*,

2002. Signed in the City of Toronto, this 2<sup>nd</sup> day of March 2022

  
 John Carmichael  
 Registrar