



Citation: Del Mastro v. Registrar, *Motor Vehicle Dealers Act, 2002*, 2022 ONLAT 14092

**Date: 2022-10-27**  
**File Number: 14092/MVDA**

An appeal from a Notice of Proposal by the Registrar, *Motor Vehicle Dealers Act, 2002*, S.O. 2002, c. 30, Sch. B. to Refuse Registration

**Between:**

**Dean Anthony Del Mastro**

**Appellant**

and

**Registrar, Motor Vehicles Dealers Act, 2002**

**Respondent**

**CONSENT ORDER**

**Adjudicator:** Kevin Lundy, Member

**Appearances:**

**For the Appellant:** Dean Anthony Del Mastro, Self-Represented

**For the Respondent:** Michael Rusek, Counsel

**Heard by Videoconference:** October 25, 2022

## CONSENT ORDER

### OVERVIEW

- [1] On May 13, 2022, the Registrar, *Motor Vehicle Dealers Act, 2002* (the ‘respondent’) issued a Notice of Proposal to Refuse Registration of Dean Anthony Del Mastro (the ‘appellant’) as a motor vehicle salesperson pursuant to section 6(1)(a)(ii) of the *Motor Vehicle Dealers Act, 2002* (the ‘Act’), alleging that the past and present conduct of the appellant afforded reasonable grounds to believe that he would not carry on business in accordance with the law and with honesty and integrity. On June 1, 2022, the appellant appealed the Notice of Proposal to the Licence Appeal Tribunal (the ‘Tribunal’).
- [2] Pursuant to subsection 6(2) of the Act, the parties, in accordance with section 4.1 of the *Statutory Powers Procedure Act*, waived the requirements of a hearing and consented to an Order of the Tribunal based upon the following terms and conditions:

### ORDER

- [3] The Registrar shall register the appellant as a motor vehicle salesperson subject to the following requirements outlined in the Act and the terms and conditions contained herein:
- (1) The appellant shall comply with all requirements of the Act 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.

#### Restrictions

- (2) The appellant shall not be the General Manager of a registered motor vehicle dealer.
- (3) The appellant shall not have direct supervisory authority over registered salespersons of the dealer. This restriction does not apply to the supervision of salespersons engaged in trades which are exempted from the requirements of the Act, pursuant to Part II of Ontario Regulation 333/08.
- (4) The appellant shall not be the final signatory on behalf of a registered motor vehicle dealer on any bills of sale, lease agreements and/or finance agreements related to the trade of a motor vehicle to a consumer. This restriction does not include trades which are exempted from the requirements of the Act, pursuant to Part II of Ontario Regulation 333/08.

### **Notification regarding new events**

- (5) The appellant shall notify the Registrar in writing within five (5) days if he is charged with, and/or found guilty of, an offence under any law and in any jurisdiction. This does not apply to offences subject to Parts I or II of the *Provincial Offences Act* or their general equivalents in jurisdictions outside Ontario.

### **Acknowledgement**

- (6) The appellant shall ensure that his current sponsoring dealer is informed of the terms and conditions contained in this document to the extent necessary to facilitate the appellant's compliance with them. If the appellant's registration is transferred to another, or additional, sponsoring dealer, he shall ensure that the new sponsoring dealer is similarly informed of the terms and conditions contained in this document to the extent necessary to facilitate his compliance with them.
- (7) The appellant acknowledges that 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 these terms and conditions.
- (8) The conditions contained in this order shall be in force for a period of two (2) years.

LICENCE APPEAL TRIBUNAL



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Kevin Lundy  
Member

*RELEASED: October 27, 2022*