



Citation: Arabi-Hashemi v. Registrar, *Motor Vehicle Dealers Act, 2002*, 2022 ONLAT HTA MVIA 13711

Date: 2022-11-18
File Number: 13711/MVIA

An Appeal from a Notice of Proposal by the Registrar, *Motor Vehicle Dealers Act, 2002*, c. 30 Sch. B – to Revoke Registration.

Between:

Seyedeh Arabi-Hashemi

Appellant

-and-

Registrar, *Motor Vehicle Dealers Act, 2002*

Respondent

CONSENT ORDER

Adjudicator: Stephen Scharbach, Member

Appearances:

For the Appellant: Pradeep Chand, Counsel

For the Respondent: Vlad Bosis, Counsel

Date: November 18, 2022

OVERVIEW

- [1] Ms. Seyedeh Arabi-Hashemi (Appellant) requested a hearing before this Tribunal to consider a Notice of Proposal issued by the Registrar under the *Motor Vehicle Dealers Act, 2002* (“Respondent”) to revoke her registration as a motor vehicle salesperson.
- [2] A 10-day hearing was scheduled to commence on November 21, 2022. However, on November 18, 2022, the parties advised the Tribunal that they had resolved the issues in dispute and request that the Tribunal issue an order on consent disposing of this proceeding. They have signed and filed with the Tribunal a written document dated November 18, 2022, setting out the terms of their resolution and the order requested. A copy of that document is attached to this Order.
- [3] Given the parties’ agreement and consent, pursuant to s. 9(5) of the *Motor Vehicle Dealers Act, 2002* (“Act”) and s. 4.1 of the *Statutory Powers Procedure Act*, R.S.O., 1990, c S.22, on the consent of the parties I order as follows:

ORDER

- [4] The hearing dates scheduled for November 21 to November 25, and November 28 to December 2, 2022, are vacated.
- [5] The Registrar shall register the Appellant as a motor vehicle salesperson on the following conditions:
- a. The Appellant's registration as a salesperson under the MVDA shall be suspended for a period of three months, starting December 8, 2022 (the "Suspension Period").
 - b. During the Suspension Period the Appellant shall complete the OMVIC Automotive Certification Course (the "Course").
 - c. After the Suspension Period will have passed, and upon successful completion of the Course, the Appellant's registration shall be subject to the following conditions:
 - i. For the period of two years, the Appellant shall not be the final signatory on behalf of her sponsoring dealer(s).
 - ii. For the period of two years, the Appellant shall not be a partner, shareholder, officer, director, person in charge, dealer

administrator, or have direct or indirect control of a motor vehicle dealer.

- iii. The Appellant shall notify the sponsoring dealer (current or future) of these conditions of registration. The Appellant will provide the Registrar with an acknowledgement signed by the sponsoring dealer within five days of the date the Order is issued, and in the future within ten days of change of employment.

LICENCE APPEAL TRIBUNAL



Stephen Scharbach, Member

Released: November 18, 2022