



Ontario's Vehicle Sales Regulator

65 Overlea Boulevard, Suite 300, Toronto ON M4H 1P1
Tel: 416-226-4500 Toll Free: 1-800-943-6002
email: registration@omvic.on.ca
www.omvic.on.ca

INDIVIDUAL APPLICATION - PAYMENT INFORMATION

For office use only

Reg #: _____

P-Ref: _____

Applicant's Name: _____

PAYMENT INFORMATION

Only applicants seeking registration or reinstatement as a salesperson must complete this section and submit a fee. (Sales roles are defined in Section A – General Information of the Individual Application form.)

Applicant's Name: _____

The application processing fee is \$250.

Cheque Money Order – Please make payable to the “Ontario Motor Vehicle Industry Council.”

Visa MasterCard Cash Debit Card – Please make payment in person at OMVIC's head office. If you submit your application with credit card payment by email, mail or courier, please complete the fields below and a representative from OMVIC's Registration department will contact you by telephone for your CVV number, the three-digit number printed on the back of the card.

If paying by credit card, I acknowledge that I authorize OMVIC to charge my credit card for the amount of \$250 and that I understand OMVIC's refund policy as defined below.

Credit Card #: _____ Expiry Date: _____

_____/_____/_____/_____ ____/____

Print Cardholder Name: _____ Cardholder Signature: _____

This processing fee will not be refunded after your application is processed. Refund requests will be considered only if received, in writing, within 48 hours from when this application is received. A \$35 service charge will apply for all NSF cheques or declined credit card payments.

Processing Fees – If a cheque is returned NSF, or a credit card is declined, there will be a **\$35 service charge** and the applicant's registration (if granted) may be cancelled. A certified cheque or money order is preferable. In any event, this processing fee **will not be refunded** after the application is processed. Refund requests will be considered only if they are received, in writing, within 48 hours from when the application is received.



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Reg #:
P-Ref:
W - ID:
A - ID:

INDIVIDUAL APPLICATION

This application is to be completed by individuals seeking registration or reinstatement as a salesperson. This form may also be completed by sole proprietors, officers, directors, partners, shareholders, persons in charge, interested persons and individuals unknown to OMVIC who are associated with a dealership. A \$250 fee is required only if you are applying for registration or reinstatement as a salesperson (sales roles defined in Section A). If you are applying as a sole proprietor, the \$250 processing fee is not required. Please review the Individual Application Information section of this form before completing it. For the purpose of this form, the "applicant" is the individual identified in Section A. All sections (A - F) must be completed in full.

Please note: We require the original copy of this application. It must be submitted in person, by mail or courier.

SECTION A: GENERAL INFORMATION

All applicants must complete this section.

If this application relates to a renewal you've submitted online, kindly provide your Reference Number:
Application Type:
First-Time Applicant for Registration Information and Review*
Reinstatement - provide Registration Number (if available):
*Check this box if you are an associated or interested individual who is not applying for registration.

Individual Information:

In support of this application, we require you to attach clear copies of two pieces of legal identification with signature. Kindly check the appropriate boxes to identify what you have attached. Please note: we do not accept health cards.

- 1-Photo ID (one of the following): Driver's licence Passport Driver's licence is preferred.
2-Proof of eligibility to work in Canada (one of the following): Social insurance card Canadian birth certificate
Canadian citizenship card Permanent resident card Landed immigration papers

First Name: Middle Name:
Last Name: Known As:
Gender: M F Birth Date (YYYY/MM/DD):
Home Phone: Alternate Phone:
Business Email: Personal Email:

Residence Address:

Street #: _____ Street: _____ Unit #: _____

City: _____ Province: _____ Postal Code: _____

Position(s):

Kindly check the appropriate box(es) to identify the position(s) you will occupy:

- | | |
|--|---|
| <input type="checkbox"/> Officer | <input type="checkbox"/> Salesperson* |
| <input type="checkbox"/> Director | <input type="checkbox"/> General Manager* |
| <input type="checkbox"/> Sole Proprietor | <input type="checkbox"/> Sales Manager* |
| <input type="checkbox"/> Partner | <input type="checkbox"/> Business Manager* |
| <input type="checkbox"/> Interested Person | <input type="checkbox"/> Marketing Manager* (i.e. the person responsible for advertising content) |

Other (please specify): _____

*An individual who will "trade" on behalf of their employer must be registered and is required to submit the \$250 processing fee. "Trade" includes buying, selling, leasing, advertising or exchanging an interest in a motor vehicle or negotiating, inducing or attempting to induce the buying, selling, leasing or exchanging of an interest in a motor vehicle.

SECTION B: PRECONDITIONS TO REGISTRATION

All applicants must complete this section.

1. Has the applicant ever had a registration under the *Motor Vehicle Dealers Act* refused, revoked, suspended or cancelled?
 Yes No
If "yes," kindly provide details on a statement signed and dated by the applicant and an authorized individual at the dealership. *Please Note: if the applicant's OMVIC registration has been refused or revoked within the last two years, the Registrar will not grant the registration.*
2. Did the applicant previously or does he/she presently own or operate a business that is in default with the Motor Vehicle Dealers Compensation Fund or Retail Sales Tax?
 Yes No
If "yes," what arrangements has the applicant made to pay monies owed and has he/she complied with those arrangements? Please provide details on a signed and dated statement, as well as a copy of the repayment agreement and payment confirmation.

3. Will the applicant be the "person in charge" i.e. the person who is at the dealership on a day-to-day basis and has been designated with and accepted primary responsibility for ensuring compliance with the Act and Regulations and has authority over employees engaged in the trade (as defined in the MVDA) of motor vehicles (e.g. the General Manager or Dealer Principal)?

Yes No

If "yes," has the applicant (check appropriate box):

a) Been in charge of a dealership since January 1, 2007 without any break in time that amounts to two consecutive years

Yes No

b) Completed the OMVIC certification course after January 01, 2009

Yes No

Provide Georgian College Student ID (if available):

If "no" to both "a" and "b" above, the applicant must complete the certification course before their dealership's registration can be issued or renewed. If the person in charge is not an officer, director, partner or the sole proprietor of the dealership, one of these individuals must have either completed the certification course or have been the person in charge of any dealership since January 1, 2007. In accordance with Section 11 of the Regulations under the MVDA 2002, the Registrar will not be able to issue or renew the dealer's registration unless these requirements are met.

All individuals seeking registration as a salesperson must have completed OMVIC's certification course (after January 01, 2009) before registration can be granted. Information on enrolment is available at www.omvic.on.ca.

Provide Georgian College Student ID:

Please note: If you are seeking reinstatement as a salesperson and your registration has been inactive less than two years, you are encouraged, but not required, to take the course.

SECTION C: EMPLOYMENT OR OTHER ACTIVITIES

All applicants must complete this section.

Please provide your employment records or other activities for **the last five years and/or since your most recent OMVIC registration**. Please include instances where you've been (or are) an officer, director, owner, partner or operator of any business/company. Please ensure the information **is consecutive, covers the entire five year period and has no gaps**.

Student Employed Unemployed

Start Date (YYYY/MM/): / / End Date (YYYY/MM): / /

Name of School/Business: Program/Type of Business:

Location of School/Business:

Reason for Leaving: Position (e.g. Cashier):

Name of Company Owner/President: Name of Supervisor (if different):

Phone #: Email:

Student Employed Unemployed

Start Date (YYYY/MM/): / /

End Date (YYYY/MM): / /

Name of School/Business: _____ Program/Type of Business: _____

Location of School/Business: _____

Reason for Leaving: _____ Position (e.g. Cashier): _____

Name of Company Owner/President: _____ Name of Supervisor (if different): _____

Phone #: _____ Email: _____

Student Employed Unemployed

Start Date (YYYY/MM/): / /

End Date (YYYY/MM): / /

Name of School/Business: _____ Program/Type of Business: _____

Location of School/Business: _____

Reason for Leaving: _____ Position (e.g. Cashier): _____

Name of Company Owner/President: _____ Name of Supervisor (if different): _____

Phone #: _____ Email: _____

If you require additional space you may attach supplementary sheets to this application. **All attachments must be signed and dated by the applicant and an authorized individual at the dealership.**

SECTION D: ELIGIBILITY

All applicants must complete this section.

1. Does the applicant currently hold a valid Ontario driver's licence?
 Yes No
2. Has the applicant ever had a commercial, professional or business registration certificate or licence of any kind refused, suspended, revoked, cancelled or been subject to disciplinary action or has the applicant ever been or are they currently a party to such a proceeding?
 Yes No
Please Note: if the applicant's OMVIC registration has been refused or revoked within the last two years, the Registrar will not grant the registration.
3. Are there any unsatisfied judgements, court orders or collections currently pending against the applicant?
 Yes No
4. Will the applicant be involved in commercial, professional or business activities other than those related to this application?
 Yes No
5. Is the applicant currently (or has the applicant ever been) an officer, director, owner, partner or operator of a business/company that's been charged or convicted of an offence **under any law** or been involved in bankruptcy proceedings, filed a commercial proposal or had a petition filed against it under any bankruptcy or insolvency legislation in any jurisdiction?
 Yes No
6. Has the applicant's wages, earnings, or other income ever been subject to garnishment, attachment or other similar orders in any jurisdiction in the last five years?
 Yes No
7. Has the applicant ever been involved in personal bankruptcy proceedings, filed a consumer proposal or had a petition filed against him/her under any bankruptcy or insolvency legislation in any jurisdiction?
 Yes No
If "yes," please attach a complete copy of the statement of affairs and certificate of discharge (if applicable) to this application.
8. Has the applicant **ever** been found guilty or convicted of an offence **under any law**, or are there any charges pending? **Make sure to include those cases with a conditional, absolute discharge or stayed charges. Please note: This question refers to charges under any law. Accordingly, you may need to answer "yes" even if a criminal record (or other) check has come back clean.**
 Yes No
9. In support of this application, we require the applicant to obtain a BackCheck clearance report. **Please note: we cannot accept any BackCheck that is more than six months old.** If you do have pending charges or convictions, please review the information regarding BackCheck in the **Individual Application Information** section at the back of this form. Have you gone to the Registration Services → BackCheck Report page of OMVIC's website at www.omvic.on.ca to request a records check?
 Yes No

If "no," kindly provide an explanation: _____

Please note: if the applicant has resided in Canada for less than two years he/she is also required to provide an original official police document or security clearance from each country in which he/she resided for more than six months in the preceding five years. This document must be an original and include the name, address and telephone number of the issuing agency.

If you answered "no" to Question 1 or "yes" to any of Questions 2-8 above, kindly provide the details on a statement signed and dated by the applicant and an authorized individual at the dealership.

SECTION E: CONSENT AND UNDERTAKING

All applicants must complete this section.

I confirm that I have not misrepresented or omitted any material facts in any document or statement made in support of this application. I understand that each statement is subject to verification. I understand it is a serious offence to knowingly provide false information in connection with this application. **I further understand the provision of false, incomplete or misleading information, or the omission of information in this application or the documents submitted with it, may result in the refusal, suspension or revocation of registration.**

I understand and acknowledge that it is a condition of employment at the dealership to be a salesperson or trade on behalf of a dealer that I complete the OMVIC application accurately, obtain OMVIC registration and keep the registration in good standing. My employment with the dealership is probationary and at any time, my failure to meet these conditions will constitute cause for termination of employment. I acknowledge I will not work in any capacity that requires registration until I have received confirmation from OMVIC that I am registered. I understand that confirmation of registration from OMVIC does not mean I have satisfied the aforesaid conditions.

In order to complete or verify the information provided on this form, it may be necessary for OMVIC to collect additional information from, or to exchange information with, government and relevant non-government sources regarding the applicant. On request by OMVIC, I agree to furnish any required authorization or release to obtain information. I consent to the collection of this information as authorized under the *Motor Vehicle Dealers Act, 2002* ("the Act"). I understand this information will be used to determine whether I am and remain qualified for the registration for which I am applying or to ensure compliance with the Act. Only information relevant to my registration will be collected. I further consent to the sharing of any information gathered in the course of processing this application as may be considered necessary in the course of determining whether I am and remain qualified for registration or to ensure compliance with the Act.

I understand the consent to the collection and sharing of this information remains ongoing throughout the term of my registration and during the application process. I further consent to the sharing of this information with current or future sponsoring dealers.

I understand I must notify OMVIC in writing within five days of any changes to this information that occurs following this application being filed. I confirm I have retained a copy of this application for my records.

The registration record, which includes my name, registration number, employer's name, business address and registration dates, is part of the public record.

I understand I may not trade on behalf of a motor vehicle dealer unless I am registered under the Act as a salesperson to that dealer. I acknowledge that "trade" refers to any form of discussion, representation or negotiation concerning the purchase, sale or lease of a vehicle, and is not limited to the signing of contracts. I know this also includes attendance at auctions or the positions commonly referred to as Sales Manager, Finance and Insurance Manager and Business Manager.

I confirm that I have read and understood the information provided in the INDIVIDUAL APPLICATION INFORMATION section of this application.

I confirm I am legally entitled to work in Canada.

I certify the information provided by the undersigned in support of this application is, to the best of my knowledge and belief, true.

Print name of Applicant

Signature of Applicant

Date Signed (YYYY/MM/DD): / /



CHECK THE STATUS OF THIS APPLICATION ONLINE AT WWW.OMVIC.ON.CA

Affirmation of Advisor/Interpreter

This section must be completed by any person who advised the applicant how to respond to questions on this form or who completed this form on their behalf.

I confirm I have a good understanding of written English and have faithfully explained the questions on this form to the applicant and am satisfied the information provided herein accurately reflects the applicant's answers.

Print name of Interpreter/Translator

Signature of Interpreter/Translator

Date Signed (YYYY/MM/DD): / /

SECTION F: CERTIFICATE OF DEALER

This section is to be completed by the dealer.

I certify I have personally and fully discussed the response to each question on the completed application with the applicant prior to signing this document and I am satisfied the information given by the applicant is true to the best of my knowledge and belief.

I certify that I am an authorized representative of the dealer/organization (i.e., an officer, director, partner, sole proprietor).

Dealership Registration# (if available):

Legal Name of Dealership

Business (Trade) Name (if applicable)

Print Name of Authorized Employer/Individual

Position of Authorized Employer/Individual

Signature of Authorized Employer/Individual

Date Signed (YYYY/MM/DD): / /

Dealership Address and Phone:

Street #: _____ Street: _____ Unit #: _____

City: _____ Province: _____ Postal Code: _____

Business Phone: _____ Business Fax: _____

Business Email: _____

INDIVIDUAL APPLICATION CHECKLIST

Have you attached:

- Clear copy of photo ID, e.g. passport or driver's licence. See Section A – General Information
- Clear copy of proof of eligibility to work in Canada, e.g. social insurance card, Canadian birth certificate, Canadian citizenship card, permanent resident card, landed immigration papers. See Section A – General Information
- Signed and dated statement and if you answered “yes” to Question 1 in Section B – Preconditions to Registration
- Signed and dated statement and copies of the repayment agreement and payment confirmation if you answered “yes” to Question 2 in Section B – Preconditions to Registration
- Signed and dated statement if you answered “no” to Question 1 in Section D – Eligibility
- Signed and dated statement if you answered “yes” to any of Questions 2-8 in Section D – Eligibility
- Security clearance from your home country if you've resided in Canada for less than two years. (You must also obtain a BackCheck clearance report). See Question 8 in Section D – Eligibility
- \$250 processing fee if you are applying for registration (sales roles are: Salesperson, General Manager, Sales Manager, Business Manager and Marketing Manager). See the Payment Information section.
Note: If you are applying as a Sole Proprietor, the \$250 processing fee is not required.

INDIVIDUAL APPLICATION INFORMATION

The following information is provided as a guideline only. All applicants are encouraged to review the relevant sections of The Motor Vehicle Dealers Act, 2002 ("the Act") and its regulations and to consult with a lawyer if they have any questions. After reviewing this information, please call OMVIC at 416-226-4500 (Toronto) or toll-free at 1-800-943-6002 for questions about completing this form.

Fast Track Process – Most fast-tracked applications will be processed within 2 business days of receipt unless there are concerns with the applicant's past conduct. In order to qualify to be fast-tracked, the applicant must:

- Complete all questions in full, including employment or other activities for the past five years
- Complete their BackCheck records check at www.omvic.on.ca, www.oada.ca or www.ucda.org, provide their Canada Post verification number and have results sent to OMVIC the next business day (more details about that on the following page)
- Attach the required fee and legible copies of legal identification with signature
- Complete the OMVIC certification course. Please note, we will be pleased to accept applications with confirmation of enrolment in the course. However, we cannot approve an application until we receive confirmation of course completion from Georgian College

SECTION A: GENERAL INFORMATION

Trade – Includes buying, selling, leasing, advertising or exchanging an interest in a motor vehicle or negotiating, inducing or attempting to induce the buying, selling, leasing or exchanging of an interest in a motor vehicle.

Salesperson – An individual who is employed by a motor vehicle dealer to trade in motor vehicles on the dealer's behalf.

Employ – Means to employ, appoint, authorize or otherwise arrange to have another person act on the applicant's behalf.

First, Middle, Last and "Known As" Names – The first, middle and last name on this application form should match the names on the applicant's identification. The "known as" name is the name by which they are commonly known (if different from their identification).

Address Terms – Street Type is the name after the street name (e.g., Avenue, Street, Road, etc.). Street Direction should be included when the name of the street includes a direction after the street type (e.g., Eglinton Avenue East). In this case "East" is the Street Direction.

Residence – The place where the applicant lives on a day-to-day basis.

Motor Vehicle Dealer – An individual or company that trades in motor vehicles, whether for their own account or the account of any other individual or business, or who holds themselves out as trading in motor vehicles.

Officer – Includes the chair and any vice-chair of the board of directors, the president and any vice-president, the secretary and assistant secretary, the treasurer and assistant treasurer and the general manager and the assistant general manager of a corporation or a partner or general manager and assistant manager of a partnership; any other individual designated as an officer by by-law or resolution or any other individual who performs functions normally performed by an individual occupying such office.

Shareholder – Includes any person (or group of related persons) who will have beneficial ownership or control of at least 10% of the equity shares of a corporation. This includes shareholders previously reported to OMVIC who have increased their holdings. Shareholders are also considered Interested Persons.

Signing Authorities – The regulations to the *Act* require dealers to report to OMVIC any changes regarding who will have signing authority on the dealer's bank account, trust account (if applicable) or who will have authority to sign on behalf of the dealership. The individuals reported on this application may be required to submit an Individual Application because they are deemed to be "interested persons" or "associated persons."

Interested and Associated Persons – Section 6 of the *Act* empowers the Registrar to refuse, revoke or suspend registration based on the conduct of "interested persons" and "associated persons" as defined under Section 1(2) and 6(4) of the *Act* (see below). The applicant must make reasonable efforts to identify to OMVIC any person who may be an "interested person" or "associated person." In the course of processing this application, the applicant may be required to answer questions regarding persons who are deemed to be "interested persons" or "associated persons."

From the *Motor Vehicle Dealers Act, 2002*:

1(2) For the purpose of this *Act*, one person is associated with another person in any of the following circumstances:

1. One person is a corporation of which the other person is an officer or director.
2. One person is a partnership of which the other person is a partner.
3. Both persons are partners of the same partnership.
4. One person is a corporation that is controlled directly or indirectly by the other person.
5. Both persons are corporations and one corporation is controlled directly or indirectly by the same person who controls directly or indirectly the other corporation.
6. Both persons are members of the same voting trust relating to shares of a corporation.

7. Both persons are associated within the meaning of paragraphs 1 to 6 with the same person.

6(4) For the purposes of this section, a person shall be deemed to be an interested person in respect of another person if the person is associated with the other person or if, in the opinion of the Registrar:

- (a) The person has or may have a beneficial interest in the other person's business;
- (b) The person exercises or may exercise control either directly or indirectly over the other person, or;
- (c) The person has provided or may have provided financing either directly or indirectly to the other person's business.

SECTION B: PRECONDITIONS TO REGISTRATION

If the applicant has not completed the certification course designated by the Registrar, he/she will be required to complete this course before registration as a salesperson can be granted (unless he/she was registered as a salesperson before January 1, 2010 and is reapplying within two years of having been terminated or inactive, for any reason). Please note that the certification course designated by the Registrar changed on January 1, 2009. Reinstatement applicants who were first registered after January 1, 2010 will need to have completed a current version of the course within the preceding two years.

Previous Refusal or Revocation – If the applicant has previously been revoked or refused registration by OMVIC, the Registrar will not consider an application for a period of two years after he/she was refused or revoked.

Person in Charge – Is the person who is at the dealership on a day-to-day basis and has been designated with and accepted primary responsibility for ensuring compliance with the *Act* and Regulations and has authority over employees engaged in the trade (as defined in the MVDA) of motor vehicles (e.g. the General Manager or Dealer Principal).

Certification Requirements – The OMVIC certification course is a correspondence course offered through the Automotive Business School of Canada (ABSC) at Georgian College. Individuals are required to complete this course as a precondition of having their registration granted. Certain individuals are also required to complete this course as a precondition of a dealership's registration being granted or renewed.

Enrollment forms are available from OMVIC or ABSC. Enrollment forms may be submitted to ABSC via fax or mail. Once ABSC receives the form, they will send the course material to the individual by courier. Course material can also be downloaded from OMVIC's website at www.omvic.on.ca. Once an individual has finished studying the course material, he/she can arrange to write the test at their local MTO issuing office. This is an open-book test containing multiple-choice questions. One hour is given to complete the test. Test results will be communicated directly to OMVIC by ABSC, provided OMVIC has the student's information and student number.

All applicants and registrants are encouraged to complete the OMVIC certification course to receive important information about the MVDA 2002, such as:

- Automatic rescission of customer contract if certain disclosures are not made.
- New disclosure requirements affecting all retail and wholesale contracts.
- A new Code of Ethics and disciplinary process affecting both dealers and salespeople.
- Restriction on what extended warranties dealers can offer or sell.
- All-in price advertising.

SECTION D: ELIGIBILITY

BackCheck – BackCheck is a provider of online Criminal Record Checks. Please note the following prior to requesting a report.

If you have no adult convictions for which you have not received a pardon/record suspension, you may request your report from the BackCheck landing page on OMVIC's website at www.omvic.on.ca.

If you have no criminal or other federal conviction history, you may request your report from the BackCheck landing page on OMVIC's website at www.omvic.on.ca.

Please note: using the landing page on OMVIC's website will ensure your results are sent to OMVIC the next business day.

If you may have adult convictions for which you have not received a pardon/record suspension, consider the following options.

If you have convictions for which you recall the specific details (offence, date of conviction, location of conviction, and penalty/disposition received) you may request your report from the BackCheck landing page on OMVIC's website at www.omvic.on.ca. This will ensure your results are sent to OMVIC the next business day. You will be prompted to self-disclose all convictions for which you have not received a pardon/record suspension. (Please note, although you must disclose pending charges on your application to OMVIC, you should not include them in your request for a BackCheck report). Details provided must accurately represent those listed in the National Repository of Criminal Records. If this is done incorrectly, you will need to pay an additional fee to redo your BackCheck report or obtain a report from your local police.

If you *do not recall* specific details you should go directly to your local police and request a Police Information Check (PIC) report (Note: a Police Criminal Record Check (PCRC) report will not be sufficient). Fingerprinting may be required in order to obtain the details.

If you chose to provide a local police report, kindly provide OMVIC with the original report along with the application you completed to obtain it. OMVIC will not accept any reports that are more than six months old.

Note:

BackCheck will also be conducting a Local Police Information search. This search utilizes the RCMP's Firearms Interest Police (FIP) database within the Canadian Police Information Centre (CPIC). This database captures potentially relevant police contact over the past five years, including pending charges.

If you are flagged with this search you will need to attach a written explanation (signed by your sponsoring employer) of any contact you've had with the police agency referred to in your BackCheck report. Any information you provide may be subject to verification by OMVIC or you may be required to contact the local police agency noted in the report and attempt to retrieve documentation detailing any police contact within the past five years.