



Ontario's Vehicle Sales Regulator

65 Overlea Boulevard, Suite 300, Toronto ON M4H 1P1
Tel: 416-226-4500 Toll Free: 1-800-943-6002
Fax: 416-512-3701 email: registration@omvic.on.ca
www.omvic.on.ca

SALESPERSON CHANGE APPLICATION - PAYMENT INFORMATION



NEW! The following services are now available through your online account: adding/transferring your salesperson licence to another dealership(s), dealer/salesperson renewals, salesperson cancellations as well as to check your application status. In order to utilize online services, please visit www.omvic.on.ca to create your account.

For office use only

Reg #: [] [] [] [] [] [] [] [] P-Ref: [] [] [] [] [] [] [] []

Legal Name: _____

Business Name: _____

PAYMENT INFORMATION

All registrants must complete this section.

Registrant's Name: _____

The application processing fee is \$75.

- Checkboxes for Cheque, Money Order, Visa, MasterCard, Cash, Debit Card with instructions.

If paying by credit card, I acknowledge that I authorize OMVIC to charge my credit card for the amount of \$75 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 individual'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 #: [] [] [] [] [] [] [] []

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W - ID: [] [] [] [] [] [] [] []

A - ID: [] [] [] [] [] [] [] []

SALESPERSON CHANGE APPLICATION



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This application is to be completed by a salesperson who is applying to be registered with a new dealer. Please note: to be employed or retained to act as a salesperson by more than one dealer, the salesperson requires the signed and dated, written consent of each dealer.

Do not use this form if you haven't been previously registered as a salesperson or if the expiry date on your certificate has passed. Instead, complete an Individual Application form. Do not use this form to add an individual as an officer, director, shareholder or signing authority. Instead, complete the Business Change Notice - Individuals/Amalgamation form. If the individual is being added to the dealership as a salesperson and an officer, director, shareholder or signing authority, please submit a Business Change Notice - Individuals/Amalgamation form.

Review the Salesperson Change Application Information section of this form before completing it. For the purpose of this form, the "registrant" is the salesperson identified in Section A.

SECTION A: GENERAL INFORMATION

All registrants must complete this section.

If this application relates to a renewal you've submitted online, kindly provide your

Reference Number: [] [] [] [] [] [] [] []

Application Type:

- Transfer a registered salesperson between dealerships (\$75 fee applicable)
Add an additional dealership to a registered salesperson (the salesperson will work for more than one dealership at the same time - \$75 processing fee applicable)

Individual Information:

First Name: _____ Middle Name: _____

Last Name: _____ Known As: _____

Birth Date (YYYY/MM/DD): [] [] [] [] / [] [] / [] []

Registration Number: [] [] [] [] [] [] [] []

Please provide an updated residence address and contact details if different from last renewal:

Street #: _____ Street: _____ Unit #: _____

City: _____ Province: _____ Postal Code: _____

Home Phone: _____ Alternate Phone: _____

Business Email: _____ Personal Email: _____

SECTION B: PRECONDITIONS TO REGISTRATION

All registrants must complete this section.

1. Will the registrant 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 registrant (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 registrant 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.

SECTION C: TRANSFER / ADD SALESPERSON

All registrants must complete this section.

The registrant is currently/was previously registered with:

Legal Name of Dealership: _____

Business (Trade) Name (if applicable): _____

Registration Number:

To transfer registration from this dealer, provide the Leaving Date (YYYY/MM/DD): / /

Please note: By indicating a leaving date, the registrant is confirming that they will not be involved with the dealership in any capacity. If not, please provide a written explanation on a signed and dated statement.

and Reason for Leaving: _____

The registrant would like to add/transfer to the following dealer:

Legal Name of Dealership: _____

Business (Trade) Name (if applicable): _____

Registration Number: Starting Date (YYYY/MM/DD): / /

Position: Salesperson General Manager Sales Manager Business Manager Marketing Manager

Please note: If you are being employed or retained to act as a salesperson by more than one registered dealer you are required to submit a signed and dated, written letter of consent from each dealer before approval can be granted. Please attach the letter(s) to this application

SECTION D: EMPLOYMENT OR OTHER ACTIVITIES

All registrants must complete this section.

1. Has the registrant's registration been inactive for more than six months?

Yes No If "no," please proceed to **Section E: Eligibility**.

If "yes," the registrant is required to perform a background check. Have you gone to the **Registration Services** → **BackCheck Report** page of OMVIC's website at www.omvic.on.ca to request a records check? Kindly refer to the **Salesperson Change Application Information** section at the back of this form for further information regarding BackCheck.

Yes No If "no," kindly provide an explanation: _____

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

SECTION E: ELIGIBILITY

All registrants must complete this section.

1. Does the registrant currently hold a valid Ontario driver's licence?

Yes No

2. Has the registrant 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 registrant ever been or are they currently a party to such a proceeding?

Yes No

Please Note: if the registrant'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 registrant?

Yes No

4. Has the registrant ever been involved in bankruptcy proceedings, filed a consumer proposal, a commercial proposal or had a petition filed against him/her under any bankruptcy or insolvency legislation in any jurisdiction?

Yes No

If you have not disclosed this bankruptcy, consumer proposal or commercial proposal on a previous OMVIC application, kindly attach a complete copy of the statement of affairs and certificate of discharge (if applicable) to this application.

5. Has the registrant **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

6. If "yes" to Question 5, has the registrant disclosed all pending charges, findings of guilt or convictions on a previous OMVIC application?

Yes No

If "no" (to Question 6), the registrant is required to perform a background check. Have you gone to the Registration Services → BackCheck Report page of OMVIC's website at www.omvic.on.ca to request a records check? Kindly refer to the **Salesperson Change Application Information** section at the back of this form for further information regarding BackCheck.

Yes No If "no," kindly provide an explanation: _____

If you answered "yes" to any of Questions 2 – 5 or "no" to Question 1 or 6 (or both), kindly provide the details on a statement signed and dated by the registrant and an authorized individual at the dealership.

SECTION F: CONSENT AND UNDERTAKING

All registrants 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.**

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 registrant. 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 with others 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 the registrant's 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 SALESPERSON CHANGE CHECKLIST and SALESPERSON CHANGE APPLICATION INFORMATION sections 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 Registrant

Signature of Registrant

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

Print name of person who completed/translated this application, if not the registrant



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

SECTION G: 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 registrant prior to signing this document and I am satisfied the information given by the registrant 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).

Legal Name of Dealership

Dealership Registration#(if available):

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: _____

SALESPERSON CHANGE CHECKLIST

Have you attached:

- Signed and dated, written letter of consent from each dealer if you are being employed or retained to act as a salesperson by more than one registered dealer. See Section C – Transfer / Add Salesperson
- Signed and dated statement if you answered “yes” to any of Questions 2 - 5 in Section E – Eligibility
- Signed and dated explanation if you answered “no” to Questions 1 or 6 (or both) in Section E – Eligibility
- BackCheck clearance report if you answered “no” to Question 6 in Section E – Eligibility
- \$75 processing fee as defined in the Payment Information section
- A copy of your terms and conditions of registration signed and dated by the authorized employer (where applicable)

SALESPERSON CHANGE APPLICATION INFORMATION

The following information is provided as a guideline only. All registrants 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.

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 registrant's behalf.

SECTION A: GENERAL INFORMATION

First, Middle, Last and "Known As" Names – The first, middle and last name on this application form should match the names on the registrant'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 registrant lives on a day-to-day basis.

SECTION B: PRECONDITIONS TO REGISTRATION

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.

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).

SECTION E: 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.