

Changes to OMVIC's Board of Directors: Minister's orders received

Since October 2022, OMVIC has been working with the Ministry of Public and Business Service Delivery (MPBSD) to make changes to the structure of our board of directors which will improve governance and ensure a balanced, skills-based board.

These changes will help to:

- Ensure the implementation of the recommendations set out by the Auditor General concerning our board of directors
- Enhance consumer protection
- Enhance accountability for the sector, and
- Present an opportunity for our board to lead in governance best practices.

On April 19, the chair of OMVIC's Board of Directors received a letter from the Minister of Public and Business Service Delivery outlining five (5) orders which you can view in more detail on our website.

The orders instruct the board to:

1. Decrease the number of board members from 12 to 9
2. Ensure all board members possess a positive orientation for proactive consumer protection initiatives
3. Ensure no more than 34% of the members of the board are drawn from the industry
4. Establish a nominations committee with requirements around composition, eligibility criteria and terms, and
5. Establish an industry advisory council, comprised of members representing the interests of motor vehicle dealers and salespersons to report to and advise the board.

As previously mentioned, these orders align with the work being done by other administrative authorities, such as Tarion and the Home Construction Regulatory Authority, to improve governance and ensure a balanced, skills-based board.

Finally, OMVIC will be hosting a webinar in early June for all registrants, providing an opportunity for them to ask questions about the by-law changes necessary to implement the orders. Please stay tuned for more details to follow in the weeks ahead.

To read the full bulletin [click here](#).



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OMVIC reminds registrants of advertising guidelines and responsibilities

In recent months, OMVIC's enforcement team has seen an increase in non-compliant dealer advertisements. Advertising-related questions and concerns are among the most common type of inquiries OMVIC receives from dealers, salespersons, and consumers.

OMVIC encourages registrants to review the [advertising guideline](#) outlining the current expectations and requirements for vehicle advertisements released in September 2022. Registered dealers and salespeople are required to comply with the laws as set out in the Motor Vehicle Dealers Act (MVDA).

This guideline is designed to clarify advertising-related information and provide overall direction and support to dealers in meeting current compliance obligations across any platform or medium.

What does this guideline contain?

The advertising guideline includes an overview of the current legislation and regulations and up-to-date information on how to remain compliant with the new and existing standards.

In summary, the guideline states that:

- All advertising, wherever it appears, should be clear, comprehensible and prominent. It should also be free of anything that could be seen as misleading or misrepresentation, and it should be fair and accurate.
- There is new advice on how to handle online advertising.
- Dealers are reminded that all advertising must include certain mandatory disclosures, and that they are responsible for all advertising carried out on their behalf.
- The expectations and requirements for all-in price advertising, advertising unfit/as-is vehicles, social media and third-party advertising, vehicle availability, the use of images and wholesale pricing have been clarified.
- The provisions of the *Consumer Protection Act* dealing with financing and other related considerations are spelled out.

Questions?

The dealer support team is available to assist dealers in achieving and maintaining compliance with the MVDA. Please contact dealer support at dealers@omvic.on.ca or by calling 1-800-943-6002 and leave a message if you have any questions or concerns. Messages are returned in a priority sequence.

OMVIC's front desk update

OMVIC reopened the front desk as a pilot project in November 2022, with a planned end date of January 19th, 2023. The purpose of this pilot was to evaluate the front desk as a valuable customer service channel.

We have extended the pilot project for an additional **six months** to further evaluate this customer service channel.

For the next phase of this pilot project, we will be making a few minor adjustments as follows:

- Hours will be adjusted to Thursday mornings between the hours of 9am to 12pm.
- The front desk counter will be staffed by the registration team exclusively.

These changes came into effect on **Thursday, January 26th.**



**Fraud Prevention
Webinar**
June 1st 2023 at 1:30 p.m.



Learn how to help prevent fraud at your dealership!

OMVIC, in partnership with the OPP and its Serious Fraud Office is hosting a free webinar on Thursday, June 1st, 2023 at 1:30pm, and we invite you to join us and learn more about this topic.

[Click here](#) to register for this webinar.

THE ENFORCEMENT FILES

Maintain compliance with dealer guidelines

OMVIC has released several guidelines to provide clarity to registrants on the current legislation, regulations, and up-to-date information on how to remain compliant with new standards. The release of each guideline is combined with a webinar to provide an overview and an opportunity for registrants to ask any questions they may have.



Financial and non-financial responsibilities and obligations guidelines

OMVIC also released its dealers' financial and non-financial responsibilities and obligations guidelines earlier this month. These guidelines are intended to support dealers to ensure they can carry out their business effectively and provide upstanding service to their customers.

Clifford Ernest Pilon LAT decision

As part of OMVIC's enforcement process, all registrants must meet the minimum requirements set out in the Motor Vehicle Dealers Act, 2002 (MVDA). The MVDA prohibits the registrar from registering any dealer or salesperson who does not meet the strict requirements. If OMVIC's registrar determines that a current registrant is no longer entitled to registration, a proposal to suspend or revoke registration may also be issued.

Anyone who disagrees with the registrar's action has the option to appeal the proposal to what's known as the Licence Appeal Tribunal (LAT).



Retail transactions guideline

Retail transactions are the foundation of most dealerships' business. In January 2023, OMVIC released its retail transactions guideline to help clarify the legislative and regulatory requirements, as well as OMVIC's expectations, as it relates to retail transactions in the automotive sector.

Questions?

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LAT is an independent agency and is one of the 13 tribunals in Tribunals Ontario. It adjudicates applications and resolves disputes concerning compensation claims and licensing activities regulated by the provincial government, including those activities of delegated administrative authorities.

In the first quarter of 2023, we saw the following LAT decision made:

- [January 12 - Clifford Ernest Pilon, Easywheels.ca Inc., Main Street Auto Importers Ltd. o/a Gold Fleet Subaru & Main Street Auto Importers Ltd. o/a Easywheels.ca](#)

The [full decision](#) can be found on omvic.ca.

Follow OMVIC on social media to stay up to date on the latest news.

Instagram: [@OMVIC_Official](#)

Twitter: [@OMVIC_Official](#)

LinkedIn: [Ontario Motor Vehicle Industry Council \(OMVIC\)](#)

Facebook: [OntarioMotorVehicleIndustryCouncil](#)

Ensure your OMVIC registration is valid

Each year OMVIC has noticed an increase in lapsed registrations or dealership relocations, with failures to re-register or update with new address information. It is imperative to maintain a valid registration with accurate information.



To change, add or renew a registration, please utilize OMVIC's online registration services on OMVIC's website, or contact OMVIC's registration department at 1-800-943-6002 or registration@omvic.on.ca for any questions regarding registration.

Reminder: There will be outages on the portal between 5pm on March 28 and April 30. During this time, online registration services will not be available or may be subject to delays and disruptions. Registrants and applicants can reach registration services by calling 1-800-943-6002.

Answering registrant questions

1) Dealers are allowed to maintain electronic records. Is it mandatory to maintain records electronically?

No. It is an option available to dealers who choose to maintain records electronically. Paper-based records are still acceptable so long as dealers maintain records in compliance with the MVDA.

2) What are the rules for advertising on your private [social media](#)?

If an advertisement is being placed by, or on behalf of the dealer the dealership's name and contact information must be presented in a clear, comprehensible manner. Salespersons may advertise on their personal social media pages so long as they identify that the vehicle is for sale on behalf of the dealership. Advertisements should not appear to be private.

3) Some dealers who [sell vehicles online](#) offer a cooling-off period and some do not. Is a cooling-off period required for online sales?

The MVDA does not require a cooling-off period in Ontario. Despite this, most online dealers do offer one. If an online dealership chooses to offer a cooling-off period, it should be clear about how consumers can end their contracts and financial arrangements, as well as the provisions about warranties, trade-ins, etc. The programs should also provide consumers with information about what refunds or reimbursements they're entitled to receive in these circumstances.



CONTACTING OMVIC

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ONTARIO MOTOR VEHICLE INDUSTRY COUNCIL

65 Overlea Blvd., Suite 300
Toronto, ON M4H 1P1

Tel: 416-226-4500

Toll-Free: 1-800-943-6002

OMVIC is committed to offering excellent customer service and resources to set dealers and salespeople up for success. For support, please use the email addresses listed below.

- **DEALER SUPPORT**
dealers@omvic.on.ca
- **REPORT A CURBSIDER**
nocurbs@omvic.on.ca
- **REGISTRATION**
registration@omvic.on.ca

- **COMMUNICATIONS AND MEDIA INQUIRIES**
communications@omvic.on.ca
- **EDUCATION**
education@omvic.on.ca