

THE DEALER STANDARD

Consumer Protection • Registrant Professionalism • Consumer Support

Online services portal account

We want to remind you of the substantial benefits from signing up with our online services portal. With this, you will experience a streamlined and user-friendly process for filing all applications and renewals online without the challenges of paper-based applications or the risk of missing deadlines. Additionally, you will receive instant notifications of any changes to your registration status, eliminating the need to call OMVIC for updates. To take advantage of these benefits, visit our website and [create your online account](#) today.

Dealers are reminded to be vigilant in verifying buyer identification

Halton Regional Police Service (HRPS) has successfully dismantled an international criminal ring specializing in the theft of luxury vehicles from Greater Toronto Area (GTA) dealerships. Operating under the codename "Project Luxe," the investigation uncovered a sophisticated scheme where criminals posed as car buyers using high-quality forgeries.

The group used these forged credentials to fraudulently acquire luxury vehicles valued at over \$1.6 million from GTA dealerships. Subsequently, these stolen vehicles were resold, often making their way overseas. Initiated as a response to individuals impersonating representatives of a legitimate retailer, the Halton Police-led operation revealed the extent of the criminal network involved in these high-end vehicle thefts. The success of "Project Luxe" underscores the importance of collaborative efforts in dismantling transnational criminal operations.



Also involved in Project Luxe were the U.S. Department of Homeland Security, The New York and New Jersey Port Authority Police, Toronto police, the OPP and the FBI. In addition to recovering the luxury vehicles, police also seized equipment used to create fraudulent methods of secure payment.

Dealers and salespersons are also urged to be vigilant in verifying a buyer's identity with a driver's license, and one other form of identification that includes the name and address.

To prevent fraud when selling your vehicle, dealers are reminded to:

- Use common sense and good judgment with prospective buyers.
- If the transaction is making you feel uneasy, be cautious, as scammers use high-pressure tactics.
- Take steps to identify the vehicles individuals arrive in and other people associated with them when something doesn't seem right.
- Secure payment before transferring ownership; verify payment with the issuing bank (i.e. bank drafts).
- Verify the buyer's identity with a driver's license and another form of identification. Be cautious with out-of-province identification.
- Verify the legitimacy of the identification,
- If they are not a repeat or loyal customer, be cautious about the deal when they want delivery right away.
- Be cautious with distant buyers; beware of sight-unseen offers or third-party transactions.

For information on the investigation, contact HRPS Regional Fraud Unit at 905-825-4777.

IN THIS ISSUE

- Online services portal account
- Verify buyers identification
- Curbsiders fines doubled
- New regulators report
- Website update
- LAT decision
- DDR program
- Registrant Q&A's

Curbsiders fines doubled

Illegal, unlicensed vehicle dealers, commonly known as curbsiders, pose a danger to car buyers. Curbsiders disguise themselves as individuals selling vehicles privately, but often run underground businesses that sell stolen vehicles, vehicles with undisclosed accident repairs, and vehicles that were previously written off.



Parm Gill, the Minister of Red Tape Reduction, has introduced Bill 139 which proposes to double the minimum fine for curbsiders from \$2,500 to \$5,000. We thank Minister Gill for his leadership to get tough on criminals.

Over the past decade, OMVIC has advocated for tougher penalties on curbsiders. The minimum fine for curbsiding has not been increased since the Motor Vehicle Dealers Act (MVDA) was passed in 2002. Bill 139 is another example of Premier Doug Ford and Minister Gill showcasing common sense and getting it done.

We also acknowledge this important piece of consumer protection is the first legislative amendment to the MVDA under the leadership of Todd McCarthy, the recently appointed Minister of Public and Business Service Delivery. We look forward to continue working with him.

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](#)

New regulators report e-newsletter launching in 2024

We are pleased to share our upcoming quarterly regulators report e-newsletters. These e-newsletters are scheduled to be issued starting in January 2024 and will be disseminated amongst all dealers and salespeople. We are excited about this new initiative and believe it will be a valuable resource for all.

In this quarterly update, enforcement, legal, and disciplinary decisions will be highlighted. Additionally, any emerging trends, policies, guidance, and other pertinent information that impacts our regulatory landscape will be included.



Website update

We are thrilled to introduce you to our brand-new website, designed with you in mind. At OMVIC, we are committed to ensuring your experience with us is as smooth, efficient, and informative as possible. Our new website is a significant step in that direction.

What's new?

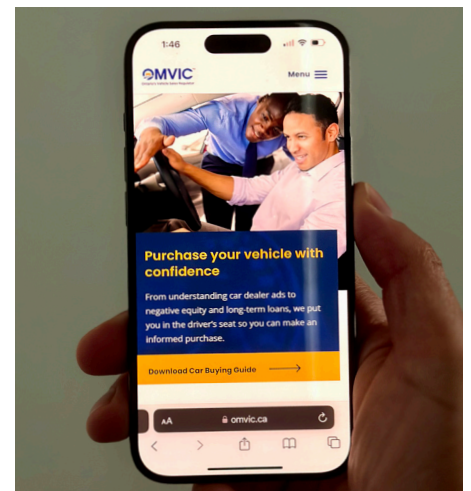
- Simple and user-friendly design
- Mobile-responsive experience
- Clear navigation
- Improved accessibility
- Easy-to-understand information

Why this matters

Our commitment to providing you with an easy-to-navigate, responsive, mobile-friendly, accessible, and engaging website is part of our larger transformation. We are working diligently to become a modern regulator.

As you explore our new website, you'll discover a wealth of resources to support you in upholding industry professionalism.

Please take a moment to explore the website [here](#), and if you have any feedback or questions, we'd love to hear from you at communications@omvic.on.ca. Your input helps us continue to improve and serve you better.



THE ENFORCEMENT FILES

LAT decision

The Registrar, Motor Vehicle Dealers Act, 2002, has proposed to refuse the registration of Beashema Veerasingam as a motor vehicle salesperson due to allegations of past misconduct. The Registrar claims that Veerasingam's behavior raises reasonable grounds to believe that he will not conduct business in accordance with the law and with integrity.

The specific allegations include sexual harassment at two motor vehicle dealerships, false claims to exculpate himself, and a failure to accept accountability.

Veerasingam denies some allegations and argues that the overall conduct does not warrant refusal of registration. He requested an adjournment at the hearing due to religious obligations and personal reasons, but it was denied, and the hearing proceeded over two days.

Additionally, Veerasingam requested a confidentiality order to seal the Tribunal's adjudicative record, fearing damage to his reputation and personal life. The Registrar opposed, emphasizing the open court principle. The Tribunal denied the request, stating that the appellant failed to demonstrate a serious risk to his professional reputation or personal life.

The issues in dispute are whether Veerasingam's past conduct justifies refusing registration and, if so, whether public interest can be protected by granting registration with conditions.

The decision concludes that the Registrar successfully proved that Veerasingam's past conduct provides reasonable grounds to believe he won't conduct business with integrity and honesty. The allegations include sending explicit content to a co-worker, inappropriate messages to customers, and attempting to avoid responsibility through false statements. The Tribunal finds that even without considering attempts to avoid consequences, the Registrar established sufficient grounds for refusal.

Regarding the remedy, the Tribunal considers whether the public interest necessitates outright refusal of registration or if conditions can adequately protect it. The decision states there is no evidence suggesting conditions could prevent future misconduct. Veerasingam hasn't accepted responsibility, taken preventive actions, or proposed supervision methods. Consequently, the Tribunal orders the Registrar to refuse Veerasingam's registration as a motor vehicle salesperson.

Click here to read the [full decision](#).

Join the Digital Dealership Registration (DDR) to complete your vehicle registration online during this festive season!

Digital Dealership Registration (DDR) is a web-based application that enables dealers to:

- Complete passenger vehicle registrations online
- Manage, order and report issues with permits and plates online
- Reduce the dealerships visits to ServiceOntario centres
- Improve margins for dealerships
- Reduce the time Ontarians and Ontario businesses spend dealing with vehicle related administration
- Minimize manual business processes through data validation and secure online transactions



DDR is integrated with existing systems to facilitate a fast, easy, and secure way to register new and used passenger vehicles.

Join the many dealerships that are already using DDR for vehicle registration. Email us at Dealerships@ontario.ca for more information or click [here](#) to get started!



Registrant Q&A

1. If a dealer purchases a vehicle through auction and the selling dealer fails to meet MVDA requirements, can OMVIC intervene?

Dealers selling at auctions must comply with certain disclosure requirements. This includes disclosing any facts that could reasonably be expected to influence the decision of a reasonable buyer. OMVIC may intervene if there is a violation of the legislation. Dealers who are found to be in non-compliance could be subject to enforcement action.

2. Does a dealer have to disclose if a vehicle was previously used for ride-sharing? (Uber)

While the Motor Vehicle Dealers Act (MVDA) does not explicitly define ride-sharing, it's worth noting that similar terms such as taxi and limo are also not explicitly defined in the MVDA. Despite this, OMVIC recommends that dealers exercise diligence in their transactions with consumers, particularly when knowingly dealing with vehicles that were previously used for ride-sharing services such as Uber.

As a matter of good practice, and to avoid potential consumer complaints regarding non-disclosure, OMVIC encourages dealers to be transparent when dealing with vehicles known to have been used for ride-sharing. If a dealer is aware that a vehicle is traded-in and has a history of ride-sharing usage, it is advisable to disclose this information when reselling the vehicle to a consumer. This proactive approach can help mitigate any issues that may later arise and contributes to a transparent and positive consumer experience.

In essence, while there may not be a specific legal requirement to disclose ride-sharing history, OMVIC promotes the adoption of best practices in disclosure to ensure fair and transparent dealings with consumers.

3. If a vehicle is missing the VIN sticker on the door panel for example, can the vehicle still be sold to a purchaser?

It is an offence under section 10(1) of the HTA to operate a motor vehicle on a highway without a VIN permanently affixed to it. It is also a criminal offence to wholly or partially alter, remove, or obliterate a vehicle identification number on a motor vehicle. If a motor vehicle is suspected to have its VIN plate removed, altered, or obliterated, it should be reported to police of local jurisdiction to properly confirm its true identity. As well, if the badging is inaccurate or has been removed, it is a requirement under the MVDA that this must be disclosed. If a VIN sticker has been removed, dealers must exercise due diligence to determine why.

4. I have had many consumers put deposits down for factory orders. Prior to delivery, we receive notification from the manufacturer that fees have changed and the consumer now has to pay more than what they agreed upon. Is this a violation of the all-in price advertising law?

Prices must be available at the time the advertisement is published. OMVIC is aware that market adjustment fees are a factor particularly as wait times are averaging 6 months for factory orders. In the event that market adjustment fees are applicable upon delivery, dealers should give the consumer the option to walk away and receive their deposit back if they do not agree to the adjustment fee.

CONTACTING OMVIC

THE DEALER STANDARD

is published by the

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