

IN THE MATTER OF AN APPEAL BY
DYLAN HALABI
OF THE DECISION BY
THE ALBERTA MOTOR VEHICLE INDUSTRY COUNCIL (“AMVIC”) DATED JUNE 26, 2025, TO REFUSE THE RENEWAL APPLICATION TO REGISTER THE APPELLANT AS AN AUTOMOTIVE SALESPERSON UNDER THE *CONSUMER PROTECTION ACT*, RSA 2000, CHAPTER C-26.3 AND THE *AUTOMOTIVE BUSINESS REGULATION*, REG. 192/99, AS AMENDED

REASONS FOR DECISION

Committee Chair: Dave Quest
Members: Wayne Paulsen
Chris Robertson

Appearances: Dylan Halabi (Appellant)

Amin Ben Khaled (Shores Jardine LLP) counsel for AMVIC
Yoneke A [REDACTED], AMVIC Manager of Licensing

Mylène Tiessen (Peacock Linder Halt & Mack LLP) counsel to the Appeal Committee

Appeal Heard: August 19, 2025 – via video conference

INTRODUCTION AND SUMMARY OF DECISION OF THE APPEAL COMMITTEE

This is an appeal of the June 26, 2025 decision of the Director of Fair Trading (as delegated) (the “Director”) who, following an administrative review, refused to renew Dylan Halabi’s provincial automotive salesperson registration (“salesperson registration”). The Director did so pursuant to sections 104 and 127 of the *Consumer Protection Act* (the “CPA”). (The “Director’s Decision”)

For the reasons set out below, the AMVIC Salesperson Appeal Committee (the “Appeal Committee”) confirms the Director’s Decision.

COMPOSITION AND JURISDICTION OF THE APPEAL COMMITTEE

Neither the appellant nor AMVIC raised any objections regarding the members of the Appeal Committee or the Appeal Committee’s jurisdiction to hear this appeal.

LEGISLATIVE AUTHORITY

The CPA governs the registration of salespeople in Alberta. The Director of Fair Trading has delegated its authority relative to the automotive industry in Alberta to AMVIC, including salesperson registrations. Automotive salespeople are required, pursuant to section 16 of the

Automotive Business Regulation (the “ABR”) to be registered in order to act on behalf of a business operator.

Section 127 of the CPA gives the Director authority to refuse a licence for any of the reasons enumerated in that section. While section 127 specifically refers to a business licence, section 18 of the ABR provides that section 127 applies, with the necessary changes, to the registration of salespeople.

Section 22 of the ABR permits a person, whose application for registration or renewal has been refused, to appeal that decision in accordance with the process established by the Director. That process is set out in the AMVIC Salesperson Appeal Committee Policy (the “Appeal Policy”).

Pursuant to section 3.2.2(n) of the Appeal Policy, the Appeal Committee is required to determine if the Director’s Decision is consistent with the provisions of the CPA, the ABR, and the bylaws and policies of AMVIC. Section 3.2.2(o) permits the Appeal Committee to confirm, quash or vary the Director’s Decision.

Sections 104, 127(b)(iii), 127(b)(vii) and 127(c) of the CPA provide as follows:

104(1) No person may engage in a designated business unless the person holds a licence under this Act that authorizes the person to engage in that business.

(2) If required to do so by the applicable regulation, a person who engages in a designated business at more than one location must hold a separate licence issued under this Act for each location that authorizes the person to engage in that business.

127 The Director may refuse to issue or renew a licence, may cancel or suspend a licence and may impose terms and conditions on a licence for the following reasons:

(b) the applicant or licensee or any of its officers or employees

(iii) furnishes false information or misrepresents any fact or circumstance to an inspector or to the Director

(vii) is convicted of an offence referred to in section 125 or is serving a sentence imposed under a conviction, or...

(c) in the opinion of the Director, it is in the public interest to do so.

BACKGROUND

In 2015, Mr. Halabi was first registered as an automotive salesperson. That registration expired in 2019. He subsequently applied in June and November 2023 as well as in January 2024, but he either withdrew his application or the application was not processed as it did not meet the applicable licencing requirements.

In March 2024, Mr. Halabi once again applied. Following an administrative review, the Director offered him a 24-month conditional salesperson registration. At the time, Mr. Halabi had [REDACTED]. On April 11, 2024, Mr. Halabi accepted the conditions proposed by the Registrar which included, among others, that he inform AMVIC of any new [REDACTED] within two business days, that if his employer changed a letter from his new employer be provided to AMVIC within two business days of obtaining that employment, and that he would not allow his salesperson registration to expire at any point while employed in the automotive industry. That conditional registration expired April 30, 2025.

The day after the expiry of his registration, on May 1, 2025, AMVIC received Mr. Halabi's application for renewal. In the eligibility question regarding convictions since his March 2024 application, Mr. Halabi responded [REDACTED] to the question and provided these details: [REDACTED] However, Mr. Halabi had been [REDACTED]

In his May 2025 renewal application, he also disclosed that he was on [REDACTED]

Following an administrative review held June 24, 2025, the Director refused Mr. Halabi's renewal application because:

1. It was in the public interest under section 127(c) of the CPA to do so.
2. He failed to disclose all of his [REDACTED] since his last application in his 2025 renewal application.
3. Pursuant to section 127(b)(vii) given his [REDACTED].
4. The public perception to allow an individual to operate in a regulated industry who is [REDACTED] would be detrimental.
5. He was concerned about Mr. Halabi's governability given his [REDACTED]
6. Mr. Halabi had not demonstrated that he is capable of meeting the code of conduct requirements and integrity as a salesperson at that time.

RECORDS BEFORE THE APPEAL COMMITTEE

The Appeal Committee was, in advance of the appeal hearing, provided with the following materials assembled by AMVIC:

- June 17, 2025 – Letter from AMVIC to Mr. Halabi providing notice of administrative review

- June 26, 2025 – Director’s Decision
- June 26, 2025 - Notice of Appeal
- June 30, 2025 – Letter from the Director to Mr. Halabi acknowledging receipt of his appeal
- July 15, 2025 – Letter from AMVIC to Mr. Halabi confirming appeal hearing date and particulars of the appeal hearing
- July 15, 2025 – AMVIC letter to Appeal Committee Chair and letters to Appeal Committee Members
- June 12, 2025 - Application Report – Licensing
- Portions of the CPA
- Portions of the ABR
- The Appeal Policy

During the appeal hearing, the following were entered as exhibits, without objection:

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| EX 1 | Summary of [REDACTED] |
| EX 2 | Confirmation of initial visit at [REDACTED]
[REDACTED] |
| EX 3 | Letter prepared by Mr. Halabi in support of his appeal dated August 13, 2025 |
| EX 4 | Copy of Client Agreement with [REDACTED] dated February 7, 2025 |

ORAL PRESENTATIONS TO THE APPEAL COMMITTEE

Opening Submissions on behalf of AMVIC

The Director did not err when he refused to grant Mr. Halabi’s renewal application. It was in the public interest to refuse it. Mr. Halabi had [REDACTED] since his conditional registration in 2024. Mr. Halabi failed to disclose all his [REDACTED] since April 2024. He is currently on [REDACTED] until August 2026. He failed to comply with certain of the conditions of his registration.

Summary of Testimony of Yoneke A [REDACTED]

Ms. A [REDACTED] is the AMVIC Manager of Licensing. Her role, in respect of salesperson registration applications is to review them if there are concerns arising from the application and the police information check (“PIC”).

An automotive salesperson is an expert in the industry. There are approximately 11,200 salespeople currently registered with AMVIC.

As part of the salesperson registration and renewal process, the applicant is required to answer a series of eligibility questions including whether they have any convictions. However, in the case of a renewal application and question regarding convictions, the applicant is only required to provide information arising since their last application. It is important that an applicant answer the eligibility questions honestly because honesty is a part of AMVIC's code of conduct for salespeople. The information provided is also verified by AMVIC through a police information check ("PIC") and Justice Online Information Network ("JOIN") search.

Having a criminal record does not necessarily preclude registration. The assessment is one of determining what is in the public interest. The factors considered in assessing an applicant's criminal record are the seriousness, recency and frequency of the charges/convictions, as well as whether they are related to the automotive industry.

Mr. Halabi was offered a conditional registration in April 2024 by the Director as Mr. Halabi had [REDACTED] from the previous year and the Director had concerns about Mr. Halabi's governability. Mr. Halabi did not, however, take any steps to comply with the conditions imposed prior to his May 1, 2025 renewal application and it was only following receipt of the PIC that AMVIC first became aware of his [REDACTED]. AMVIC also noted that since 2024, Mr. Halabi has had approximately 10 employers, but AMVIC did not receive a letter from any of them prior to his May 2025 renewal application. AMVIC did receive a letter on June 5, 2025 from Mr. Halabi's then employer but only after AMVIC sent an email on May 2, 2025 requesting it.

Ms. A [REDACTED] requested an administrative review in respect of Mr. Halabi's renewal application, on June 12, 2025. During the review, Mr. Halabi was not initially forthcoming with information but ultimately answered the questions asked by Ms. A [REDACTED] and the Director. Mr. Halabi explained that he was unable to advise AMVIC of the new [REDACTED] as he was either in [REDACTED] at the time. With respect to changes in employment, Mr. Halabi explained that in some cases he did not actually work with the employer or was only employed for a brief period of time. Mr. Halabi also explained that he was not familiar with the conditions imposed as he did not have the document in front of him.

Summary of the Testimony of the Appellant

Mr. Halabi acknowledged that he did not provide the full details of his [REDACTED] when he completed his renewal application. This was not done because he did not want to disclose the information to AMVIC, but because he did not have the details himself until he received the PIC and he was unsure of all of the [REDACTED]. It was his impression that the [REDACTED] on the information provided to him by his lawyer. By the time of his [REDACTED], it had been many months since the events that resulted in those [REDACTED]. He acknowledges that his [REDACTED]

Mr. Halabi explained that he [REDACTED]

[REDACTED]

With respect to his employment history, he explained that he either did not ultimately work with that employer or when he asked for a letter from his employer, they would not provide one.

Mr. Halabi noted that he is unaware of any complaints to AMVIC from his customers or his employers. As long as he is working, he does not have [REDACTED].

Mr. Halabi also stated that he was confused regarding when he was to renew his registration given the 24-month period during which the conditions were imposed. He acknowledged when questioned by counsel for AMVIC that he did not seek clarification from AMVIC and that he failed to abide by conditions imposed by the Director.

SUMMARY OF CLOSING SUBMISSIONS OF THE PARTIES

Closing submissions on behalf of AMVIC

When the Director considers: (1) the basic qualifications to become a salesperson, and (2) an assessment of whether the public can trust that person, the threshold to be a registered automotive salesperson is not high. The presumption is that a person will follow the rules, and act honestly and with integrity. It is not in the public interest to grant a salesperson registration if the information before the Director is otherwise.

The Director was concerned about Mr. Halabi's honesty, integrity and governability. Mr. Halabi accepted the terms of his conditional registration. In November 2024 and February 2025, he was [REDACTED]. However, he also had prior [REDACTED]. Further, Mr. Halabi breached the terms of his conditional registration. He failed to notify the Director of his subsequent [REDACTED] and of his changes in employment. Mr. Halabi's explanation that he was unaware of the conditions is concerning. These conditions provided Mr. Halabi with an opportunity to show the Director that he is governable. When he completed his renewal application in May 2025, he failed to disclose all his [REDACTED].

The Director refused Mr. Halabi's renewal application pursuant to three sections of the CPA. Section 127(b)(iii) allows the Director to refuse a registration if the applicant furnishes false information or misrepresents any fact or circumstance to the Director. Mr. Halabi omitted significant details regarding his [REDACTED] when he completed his renewal application. Section 127(b)(vii) permits the Director to refuse a registration if the applicant is [REDACTED]. Both are the case in respect of Mr. Halabi. He has [REDACTED]. Further, section 127(c) permits the Director to refuse a registration if it is in the public interest to do so. Mr. Halabi's [REDACTED], the seriousness and recency of them, the fact that he is currently [REDACTED],

his conditional registration and his failure to comply with the conditions imposed were all reasons for the Director to be concerned about the public interest. The Director made no error. His decision was consistent with the applicable provisions of the CPA. Upholding the Director's Decision does not preclude Mr. Halabi from reapplying for a salesperson registration in the future if he can demonstrate that he is suitable to be registered.

Closing Submissions of the Appellant

Mr. Halabi reiterated that he has never had any complaints from customers that he is aware of and that he has never had any issues reflecting a lack of being honest with a customer. His [REDACTED]. He loves the automotive business. Working in the industry is good for his [REDACTED] and he would appreciate an opportunity to continue to work in it. He did not intend to lie about his [REDACTED] when he completed his renewal application. He wants to be forthcoming and honest with AMVIC, particularly now that his registration was refused. He has been [REDACTED]. He is not proud of the decisions he made in the past. He takes the role of AMVIC seriously.

DECISION

Pursuant to section 3.2.2(n) of the Appeal Policy, we are to determine if the Director's Decision to refuse the renewal of Mr. Halabi's salesperson registration was consistent with the provisions of the CPA, the *Automotive Business Regulation*, and the Bylaws and policies of AMVIC (collectively the "Governing Authorities"). Section 3.2.2(o) permits us to confirm, vary or quash the Director's Decision.

We are of the unanimous view that the Director's Decision was consistent with the applicable provisions of the Governing Authorities and, accordingly we confirm the Director's Decision.

It is unfortunate that Mr. Halabi failed to abide by the conditions imposed by the Director in April 2024. His explanation that he was unaware of the conditions is suspect given that he signed the April 10, 2024 letter from the Director accepting the conditions imposed.

It is also unfortunate that not until the Director refused to grant a renewal of Mr. Halabi's registration, did he recognize that he should act with honesty and integrity in his dealings with AMVIC. While acting with honesty and integrity in respect of one's dealings with customers is expected, the same is expected in respect of dealings with AMVIC as the regulator of the automotive industry.

Mr. Halabi's [REDACTED] is also concerning. He has [REDACTED]. He did not disclose them to AMVIC until months later in his renewal application of May 1, 2025. However, even then he minimized the extent of his [REDACTED] when he completed his renewal application.

We do commend Mr. Halabi for his efforts to address his [REDACTED]. We recognize that this is a significant achievement. We encourage him to continue his efforts and reiterate AMVIC's statement during the appeal hearing that this decision does not preclude Mr. Halabi from re-applying for a renewal of his salesperson registration in the future. We, however, agree with the Director that Mr. Halabi has not yet sufficiently demonstrated

that he can be relied on to consistently follow the law and that he will adhere to the standards of a registered salesperson.

Dated this 2nd day of September, 2025.

"original signed by"

Dave Quest
Chair – AMVIC Salesperson Appeal Committee