

IN THE MATTER OF AN APPEAL BY
JODHBIR SANDHER
OF THE APRIL 27, 2026 DECISION BY
THE ALBERTA MOTOR VEHICLE INDUSTRY COUNCIL (“AMVIC”)
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. 192/1999, AS AMENDED

REASONS FOR DECISION

Committee Chair: Denis Ducharme
Members: Erol Yersel
Shane Sutherland

Appearances: Jodhbir Sandher (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

Other Attendees: Rhonda V [REDACTED], AMVIC Manager Legal Services – keeping record of the proceedings

Henry Y [REDACTED] – AMVIC Legal Services - platform moderator

Appeal Heard: July 23, 2026 – via video conference

INTRODUCTION AND SUMMARY OF DECISION OF THE APPEAL COMMITTEE

This is an appeal of the April 27, 2026 decision of the Director of Fair Trading (as delegated) (the “Registrar”) who, following an administrative review, refused the renewal application of Jodhbir Sandher for a provincial automotive salesperson registration (“salesperson registration”). The Registrar did so pursuant to sections 104 and 127(b)(iii) and (c) of the *Consumer Protection Act* (the “CPA”). (The “Registrar’s Decision”)

For the reasons set out below, the AMVIC Salesperson Appeal Committee (the “Appeal Committee”) confirms the Registrar’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 to act on behalf of a business operator.

Section 127 of the CPA gives the Registrar 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 reinstatement has been refused to appeal that decision in accordance with the process established by the Registrar. 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 Registrar’s Decision is consistent with the provisions of the CPA, the ABR, and the bylaws and policies of AMVIC (the “Governing Authorities”). Section 3.2 2(o) permits the Appeal Committee to confirm, vary or quash the Registrar’s Decision.

Sections 104, 127(b)(iii) 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,

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

BACKGROUND

Mr. Sandher obtained a salesperson registration in February 2025. He applied to renew that registration on February 27, 2026. In that intervening period, he was charged with [REDACTED] with an offence date of January 29, 2026, including:

1. [REDACTED];

2. [REDACTED]

3. [REDACTED].

He was also subject to [REDACTED].

In the eligibility questions portion of his renewal application Mr. Sandher responded “yes” to the question regarding [REDACTED] and provided these details:

[REDACTED]

He did not specifically mention the two other [REDACTED].

In respect of the eligibility question regarding [REDACTED], Mr. Sandher responded “no” despite being [REDACTED].

Following an administrative review held April 21, 2026, the Registrar refused Mr. Sandher’s renewal application because:

1. It was in the public interest under section 127(c) of the CPA to do so.
2. Of the seriousness, recency and nature of Mr. Sandher’s [REDACTED].
3. He failed to disclose all his [REDACTED] in his renewal application, contrary to section 127(b)(iii) of the CPA.
4. Mr. Sandher had not demonstrated to the Registrar that he can meet the code of conduct requirements and integrity as a salesperson at that time.

In addition, the Registrar was not persuaded that granting a conditional salesperson registration would adequately protect the public.

RECORDS BEFORE THE APPEAL COMMITTEE

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

- April 7, 2026 – Letter from AMVIC to Mr. Sandher providing notice of administrative review
- April 7, 2026 – Letter from AMVIC confirming adjournment of administrative review
- April 27, 2026 – Registrar’s Decision
- May 12, 2026 – Email from Mr. Sandher with Notice of Appeal attached
- May 13, 2026 – Letter from the Registrar to Mr. Sandher acknowledging receipt of his appeal

- May 19, 2026 – Letter from AMVIC to Mr. Sandher confirming appeal hearing date and particulars of the appeal hearing
- May 19, 2026 – AMVIC letter to Appeal Committee Chair and letters to Appeal Committee Members
- April 1, 2026 - Application Report – Licensing
- Portions of the CPA
- Portions of the ABR
- The Appeal Policy

During the appeal hearing the following was entered as an exhibit without objection:

EX 1 Summary of [REDACTED] as of April 17, 2026

GROUND OFS OF APPEAL

In his May 12th appeal letter Mr. Sandher asks for a reconsideration of the Registrar's Decision on the basis that:

- It was never his intention to withhold or conceal information. He answered based on his understanding at the time and on legal advice he had received.
- He takes responsibility for the misunderstanding regarding his [REDACTED] and recognizes how that may have affected the review process.
- He is fully committed to meeting the standards expected by AMVIC moving forward.
- He is confident [REDACTED]
- He deeply regrets any confusion or concerns created during the administrative process.

Mr. Sandher advises that he would accept reasonable conditions on his registration, if necessary.

ORAL PRESENTATIONS TO THE APPEAL COMMITTEE

Opening Submissions on behalf of AMVIC

AMVIC says that the Registrar did not err in denying Mr. Sandher's renewal application. The Registrar's Decision to do so because it was in the public interest and because Mr. Sandher filed to disclose certain information regarding his [REDACTED] was consistent with the governing authorities.

Summary of the Testimony of Yoneke A [REDACTED]

Ms. A [REDACTED] has been with AMVIC for over 12 years. She is the Manager of Licensing, a role that she has held for the last eight years.

The role of an automotive salesperson is subject matter expertise respecting automotive sales and related transactions.

There are approximately 11,300 registered salespeople through AMVIC.

Ms. A [REDACTED] reviewed the salesperson registration process. As part of that process the applicant is required to complete ten eligibility questions which include, among others, questions about pending criminal charges. The application also contains a declarations section, which must be completed before the application is considered complete. AMVIC requires the applicant to provide a criminal record check as part of the process. Having a criminal record does not automatically disqualify an applicant from being granted a salesperson registration. AMVIC considers the recency, seriousness, frequency and whether the charges/convictions are automotive related.

Answering the eligibility questions honestly is important because this is an integrity industry. Furthermore, AMVIC relies on the information provided by the applicant as part of making decisions regarding salesperson registrations.

AMVIC compares the information provided through the criminal record check with a Justice Online Information Network (JOIN) search – a provincial database. AMVIC also conducts open-source searches (e.g. Google). The information obtained is compared to the information provided in the salesperson registration application. As part of that process AMVIC is assessing whether the application was truthful and whether there is anything that may be of concern regarding the public given AMVIC's role to protect consumers.

The salesperson registration process differs somewhat in that the eligibility questions focus on the timeframe since the applicant's last application, and a criminal record check is only required if there are any new charges or convictions since the last application.

Mr. Sandher first applied for a salesperson registration in September 2024. At that time, he did not meet the necessary requirements and was not granted a registration. He reapplied in February 2025 and was granted a salesperson registration for one year. On February 27, 2026, Mr. Sandher applied to renew his registration. He disclosed that he had [REDACTED] and was asked to proceed with a criminal record check.

Ms. A [REDACTED] reviewed Mr. Sandher's renewal application. In reviewing the eligibility questions, she noted that he had answered "yes" to the question regarding [REDACTED] but indicated that he was not subject to any conditions. As a result, Mr. Sandher was required to request a criminal record check, which was received by AMVIC on April 1st. Thereafter, AMVIC obtained a JOIN search that same day which confirmed the information provided through the criminal record check. Mr. Sandher had [REDACTED] It also indicated that Mr. Sandher had an upcoming [REDACTED] on April 10th.

An application for administrative review was submitted to the Registrar on April 2nd. At the request of the Registrar, a further JOIN search was obtained and provided to the Registrar on April 17th.

The administrative review was held on April 21, 2026. Ms. A [REDACTED] and Mr. Sandher attended before the Registrar via telephone. When asked why he failed to advise that he had [REDACTED], Mr. Sandher explained that his [REDACTED]. Mr. Sandher acknowledged that he failed to disclose that [REDACTED]. The Registrar refused Mr. Sandher's renewal application.

Summary of the Testimony of the Appellant

Mr. Sandher thanked everyone for taking the time to hear his appeal. He understands the importance and responsibility of AMVIC. His intention when he completed his renewal application was to be transparent. He does have [REDACTED]. He asks that the Appeal Committee [REDACTED].

He is [REDACTED]. He has had a passion for cars for as long as he can remember. He learned about the automotive industry from his father. He understands that it is one of trust, relationships and of helping consumers to make an important decision. He also understands that being granted a salesperson registration is a privilege and not a right. Furthermore, he understands the Appeal Committee's concerns. He is open to reasonable conditions being placed on his salesperson registration.

When asked, Mr. Sandher confirmed that he did not detail all [REDACTED] on his renewal application. When he spoke to [REDACTED]. When he obtained the criminal record check, he saw that [REDACTED]. He was not trying to hide anything from AMVIC.

Mr. Sandher also confirmed that he answered "no" to the question regarding conditions. He explained that at the time, he was not really sure what the condition was. When he spoke to [REDACTED]. Mr. Sandher also acknowledged that when he completed the renewal application he rushed through it and did not answer the question [REDACTED], properly.

Mr. Sandher further confirmed that he answered "yes" to the declaration question that he fully understood the questions in the application. He acknowledged that it is important that he answer the questions honestly and accurately and the importance of accurate disclosure in interactions with consumers.

Mr. Sandher spoke to [REDACTED] the day prior to the appeal hearing regarding the status of [REDACTED] and he had no update. He is not sure when his [REDACTED] is.

SUMMARY OF CLOSING SUBMISSIONS OF THE PARTIES

Closing Submissions on behalf of AMVIC

The threshold to become a registered salesperson is not high. An application is completed and reviewed by AMVIC for any obvious history of concern or indication that the public cannot trust

the applicant. AMVIC starts with the presumption that the applicant will act with honesty and integrity.

The evidence before the Registrar was such that it was reasonable for her to deny Mr. Sandher's renewal application based on sections 127(b)(iii) and (c) of the CPA.

In respect of s. 127(b)(iii), Mr. Sandher failed to disclose that he had [REDACTED], and he failed to disclose that he was [REDACTED]. While he may not have understood the nature of his condition, he answered the question [REDACTED] and the declaration question in any event.

Mr. Sandher says that he had nothing to hide, but AMVIC needs to be able to trust that a registrant will be honest even as part of the application process. There is no room for partial truths. The Registrar made no error in refusing Mr. Sandher's renewal application pursuant to s. 127(b)(iii). Mr. Sandher's renewal application was incomplete.

With respect to his [REDACTED], AMVIC refers the Appeal Committee to the Alberta decision of *Ahmad v Alberta Motor Vehicle Industry Council*, 2010, ABQB 293, where the Court noted that AMVIC was entitled to consider an applicant's entire history in the automotive industry to properly protect the public interest. This would include an applicant's criminal and regulatory history where charges were stayed, dismissed or withdrawn. Mr. Sandher's [REDACTED] raise concerns regarding protecting the public interest.

Based on the totality of the evidence before the Registrar, Mr. Sandher cannot presently meet AMVIC's code of conduct requirements in respect of acting with integrity. AMVIC also notes that should the Appeal Committee uphold the Registrar's Decision, Mr. Sandher is not precluded from applying for a salesperson registration in the future.

Closing Submissions of the Appellant

Mr. Sandher understands that it is AMVIC's responsibility to protect the public and that the expectation is that a registrant will act with honesty and professionalism. He acknowledges that [REDACTED] are concerning. He reiterates that they are still [REDACTED]

This is his first experience dealing with a legal matter in conjunction with the salesperson registration process. He now understands the importance of being candid with AMVIC and in the future he assures the Appeal Committee that he will comply. He is not asking the Appeal Committee to ignore the situation, he is asking for the opportunity to show AMVIC that he is able to adhere to the requirements and expectations of AMVIC.

He is agreeable to reasonable conditions being placed on his registration to reassure AMVIC, while still permitting him to continue to work in the industry and continue to learn. He is of the opinion that he can contribute to the industry in a positive way and requests the opportunity to prove himself.

DECISION

It is our view that the Registrar's Decision to refuse Mr. Sandher's application for renewal was consistent with the Governing Authorities, in particular s. 127 of the CPA and, accordingly, we confirm the decision.

We turn first to the Registrar's determination that Mr. Sandher furnished false information or misrepresented any facts when he completed his renewal application. We accept Mr. Sandher's explanation that he disclosed [REDACTED] based on the information that was provided to him by his lawyer and, therefore, did not intend to provide false information or misrepresent that fact. We are troubled by Mr. Sandher's omission of the [REDACTED]. Either he chose to omit [REDACTED] or, at the very least, he completed the renewal application without proper attention which evidences a lack of appreciation of the importance of the application and providing accurate information to AMVIC.

With respect to the matter of his [REDACTED], they are recent and they are serious. We appreciate that Ms. Sandher is, for the purposes of the [REDACTED], but given AMVIC's mandate to protect the public interest we have concerns regarding the safety of consumers and concerns regarding the public's perception of the industry were AMVIC to permit someone with such [REDACTED] to be registered. Accordingly, it was reasonable for the Registrar to refuse Mr. Sandher's application for renewal of his salesperson registration.

We encourage Mr. Sandher to continue his positive efforts to address the challenges and circumstances he has recently faced. We reiterate AMVIC's statement during the appeal hearing that this decision does not prevent Mr. Sandher from re-applying for reinstatement in the future.

Dated this 12th day of August 2026.

"original signed by"

Denis Ducharme
Chair – AMVIC Salesperson Appeal Committee