

IN THE MATTER OF AN APPEAL BY  
**SAFEER NAZIR**  
OF THE JUNE 10, 2026 DECISION BY  
THE ALBERTA MOTOR VEHICLE INDUSTRY COUNCIL (“AMVIC”)   
TO REFUSE THE 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: Diane Kolibar  
Mike Kwasek

Appearances: Safeer Nazir (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: September 9, 2026 – via video conference

**INTRODUCTION AND SUMMARY OF DECISION OF THE APPEAL COMMITTEE**

This is an appeal of the June 10, 2026 decision of the Director of Fair Trading (as delegated) (the “Registrar”) who, following an administrative review, refused the application of Safeer Nazir for a provincial automotive salesperson registration (“salesperson registration”). The Registrar did so pursuant to sections 104 and 127(b)(vii) 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 registration 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) of the Appeal Policy permits the Appeal Committee to confirm, vary or quash the Registrar’s Decision.

Sections 104, 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

(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.

Section 125 of the CPA states:

**125** In this Part, “conviction” means a conviction for an offence under any criminal or other law in force in Alberta or elsewhere that, in the Director’s opinion, indicates that the person convicted is unsuitable to be licensed under this Act.

## **BACKGROUND**

On September 16, 2024, Mr. Nazir was [REDACTED]. The [REDACTED] occurred in October 2021. Mr. Nazir [REDACTED]. Mr. Nazir will complete his [REDACTED] in March 2028.

Mr. Nazir applied for a salesperson registration in May 2026. Following an administrative review held June 9, 2026, the Registrar refused Mr. Nazir's application because:

1. It was in the public interest under section 127(c) of the CPA to do so.
2. The public perception to allow an individual to operate in a regulated industry while still [REDACTED] would be detrimental.
3. Pursuant to section 127(b)(vii) of the CPA the Registrar may refuse to issue a salesperson registration if the applicant is [REDACTED] referred to in section 125 of the CPA or is serving a [REDACTED].
4. Of the seriousness, recency and nature of Mr. Nazir's [REDACTED] [REDACTED] is of concern to the Registrar, the public, AMVIC and the automotive industry.
5. While Mr. Nazir was open and honest about the circumstances that led to his [REDACTED], the Registrar's view is that Mr. Nazir needs to demonstrate a reasonable period in which he does not have any [REDACTED] while not subject to conditions.

## **RECORDS BEFORE THE APPEAL COMMITTEE**

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

- May 26, 2026 – Letter from AMVIC to Mr. Nazir providing notice of administrative review
- June 10, 2026 – Registrar's Decision
- June 15, 2026 – Email from Mr. Nazir with Notice of Appeal attached
- June 16, 2026 – Letter from the Registrar to Mr. Nazir acknowledging receipt of his appeal
- June 23, 2026 – Letter from AMVIC to Mr. Nazir confirming appeal hearing date and particulars of the appeal hearing
- June 23, 2026 – AMVIC letter to Appeal Committee Chair and letters to Appeal Committee Members

- May 14, 2026 - 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:

- EX 1 Summary of [REDACTED] as of May 14, 2026
- EX 2 Letter dated October 2, 2025 from IslamicFamily
- EX 3 Letter dated June 2, 2026 from Rio Foster, Senior Sales Manager, Rally Subaru
- EX 4 Email from S. Nazir dated September 2, 2026 providing email dated June 2, 2026 from John Alvarado, Manager, Rally Subaru

### **GROUND OFS OF APPEAL**

According to his June 15, 2026 Notice of Appeal, Mr. Nazir appeals the Registrar's Decision because:

- He takes full responsibility for his past actions and has learned from his mistakes;
- He has been fully compliant with all his [REDACTED] and is living a law-abiding life;
- His [REDACTED] did not involve fraud, theft, dishonesty or consumer related misconduct;
- He is currently employed as a lot attendant and has demonstrated reliability, professionalism and a strong work ethic; and
- Obtaining an AMVIC license will allow him to advance his career, continue his rehabilitation as a productive member of society, and continue building a stable future for himself, his wife and his children.

### **ORAL PRESENTATIONS TO THE APPEAL COMMITTEE**

#### **Opening Submissions on behalf of AMVIC**

AMVIC's position is that the Registrar did not err in denying Mr. Nazir's application. Firstly, it was in the public interest to do so. Secondly, Mr. Nazir was [REDACTED]. Accordingly, the Registrar's decision was consistent with the governing authorities.

#### **Summary of the Testimony of Yoneke A [REDACTED]**

Ms. A [REDACTED] is the Manager of Licensing. She has been with AMVIC for over 12 years.

The role of a salesperson in the automotive industry is to provide subject matter expertise concerning the purchase, sale, lease, exchange or consignment of a vehicle.

There are approximately 11,400 registered salespeople through AMVIC.

Ms. A [REDACTED] reviewed the salesperson registration process. As part of that process the applicant is required to complete an online application which includes approximately 11 eligibility questions. The application also includes four declaration questions which must be answered. The applicant is also required to complete a criminal record check at their own expense, be employed with a licensed AMVIC business and complete a course.

AMVIC relies on the honesty and integrity of the applicant. AMVIC, however, does take steps to verify the answers to the eligibility questions. AMVIC compares the answers given with the criminal record check and with information provided through a Justice Online Information Network (JOIN) search, which provides information regarding criminal matters previously or currently before the courts in Alberta. AMVIC also conducts open-source searches including, for example, accessing on-line articles, Real Estate Council Alberta, Vehicle Sales Authority of British Columbia and Ontario Motor Vehicle Industry Council.

A criminal record check is important as once an individual is convicted that information becomes publicly available and the question of would a purchaser be comfortable making a purchase if they were aware of this information, arises. Having a criminal record does not, however, automatically result in an applicant being refused. The recency, seriousness, frequency and whether the matters are automotive related, are considered.

In the case of Mr. Nazir's application for registration, his May 2026 application was not his first. He applied previously on August 23, 2025. That application was subsequently refused. Ms. A [REDACTED] believes it was refused because Mr. Nazir did not provide the required criminal record check.

In respect of his May 2026 application, which is the subject of this appeal, the information contained in the criminal record check was consistent with the answers in the application in respect of his [REDACTED]. Following a review of the application, a JOIN search was completed on May 14, 2026. Open-source searches were conducted, which revealed a few news articles regarding matters related to the [REDACTED]. An application for administrative review was completed, the purpose of which was to provide the Registrar with an understanding of the applicant, the information provided by the applicant, the reasons for requesting the administrative review and any other evidence in support of the review request.

An administrative review was conducted via teleconference. The Registrar, Ms. A [REDACTED] and Mr. Nazir participated. Following that review, the Registrar decided not to grant a salesperson registration to Mr. Nazir at this time.

Mr. Nazir had no questions for Ms. A [REDACTED]. He stated that everything he stated in his salesperson registration application was 100% accurate, he did not lie at all. This was his only [REDACTED]. He just wants to try to make an honest living.

#### Summary of the Testimony of the Appellant

Mr. Nazir advised that he did not have any evidence that he wished to provide, but that he had a closing statement.

When questioned by counsel for AMVIC, Mr. Nazir confirmed the accuracy of the information contained in the [REDACTED] (exhibit 1), confirmed that he had [REDACTED] that happened at the same time and he also confirmed that his [REDACTED] will be completed in March 2028.

## **SUMMARY OF CLOSING SUBMISSIONS OF THE PARTIES**

### **Closing Submissions on behalf of AMVIC**

The role of the Appeal Committee is to determine if the Registrar's Decision is inconsistent with the governing authorities.

AMVIC must ensure that an applicant has the basic qualifications to be a registered salesperson and that a consumer can trust the registrant. The threshold for an applicant to be a registered salesperson is not high. They need to demonstrate knowledge of the system and show that they are not a risk to consumers. AMVIC starts with presumption that the registrant will follow industry rules. As part of the application process, AMVIC checks to ensure that there are no obvious concerns.

In this case, the evidence before the Registrar was that it was not in the public interest to grant Mr. Nazir a salesperson registration. The Registrar relied on two sections of the CPA in arriving at this decision. Based on the totality of the evidence, the Registrar made no error in doing so.

Section 127(b)(vii) of the CPA is clear. At the time of his application, Mr. Nazir had been [REDACTED]  
[REDACTED]  
[REDACTED]

Mr. Nazir has not demonstrated that he is able to comply with the law. He needs to demonstrate a reasonable period of time in which he does not have any issues, noting that he is only about half completed his [REDACTED].

Based on the evidence presented during the Appeal Hearing and in the Appeal book, there is no other reasonable conclusion but that Mr. Nazir's application for registration should be refused.

If the Appeal Committee upholds the Registrar's Decision, that does not mean that Mr. Nazir is unable to reapply in the future. Upholding the Registrar's Decision is to uphold the decision that Mr. Nazir's May 2026 application cannot be granted.

### **Closing Submissions of the Appellant**

Mr. Nazir understands why AMVIC is concerned. He is not here to minimize what happened. He takes full responsibility for what occurred. What he is asking the Appeal Committee to do is to look at the full picture, to look at what has happened since 2021. He is a different person now.

This [REDACTED] is the only one on his [REDACTED]. He has not [REDACTED] since. The conduct that led to his [REDACTED] occurred in 2021. He has not [REDACTED]. He has complied with the requirements placed on him. He completed his required counselling and submitted a letter to AMVIC and AMVIC's counsel to that affect. After he was [REDACTED] and has had no further [REDACTED] since.

With respect to whether he is governable. Mr. Nazir points to the fact that he can follow conditions when they are imposed on him. AMVIC's own evidence is that a criminal record does not preclude someone from being granted a salesperson registration. He is aware of others with criminal convictions who have been granted a salesperson registration, and he mentions a prior AMVIC decision regarding a Mr. Struth and advises that Mr. Struth had a criminal history and was granted a salesperson registration with conditions and then later received a registration without conditions. Mr. Nazir submits that he does not have a [REDACTED]. The conduct in issue dates to 2021 and he has had no [REDACTED] since.

He recognizes that what he did was serious. He hurt the community. He hurt his friends and family. He hurt a lot of people and he regrets his actions. He cannot change the past; he can only change the future.

He has attended counselling and continues to do so (exhibit 2).

Importantly he is already working in a dealership. He has had the opportunity to work in the business without problems. He has maintained that employment without any misconduct and, in fact, a few months ago he was made employee of the month. There is no evidence of any dishonesty on his part while he has been working at the dealership. He is not a risk to consumers. His employment provides real evidence of how he has conducted himself. The letters he has provided (exhibits 3 and 4) support this.

He is currently on [REDACTED]. Being on [REDACTED] should not by itself mean that he cannot be registered. He has shown an ability to follow the rules. He understands that if he is granted a registration that he is accountable to AMVIC and is required to comply with AMVIC's requirements. He is prepared to do that.

What he did was wrong, but he has tried to turn his life around. He complied with his [REDACTED]. He disclosed his [REDACTED] to AMVIC. He is not asking the Appeal Committee to forgive his past but to consider his rehabilitation. Refusing him a registration would prevent him from moving forward.

#### Reply Submissions on behalf of AMVIC to the Appellant's Closing Submissions

AMVIC submits that exhibits 2, 3 and 4 should be given limited weight by the Appeal Committee. They were only provided during Mr. Nazir's closing submissions. The authors of the letters were not called as witnesses at the appeal hearing and, accordingly, AMVIC did not have an opportunity to question them on the contents of the letters.

In respect of the prior AMVIC decisions concerning a Mr. Struth, Mr. Nazir did not provide a copy of these decisions in advance or during the appeal hearing. Counsel for AMVIC located two decisions posted on AMVIC's website regarding a Colin Struth, one from September 2020 and another from May 2021. In brief, in both cases the Appeal Committee upheld the Registrar's decision.

#### **DECISION**

The Registrar refused Mr. Nazir's application for a salesperson registration in reliance on sections 127(b)(vii) and (c), that is because he was [REDACTED], and because it was in the public interest to do so.

On September 16, 2024, Mr. Nazir was [REDACTED]

[REDACTED] In addition, during the administrative review he advised that back in 2021 he had been [REDACTED] The Registrar was of the view that these [REDACTED] were serious, that Mr. Nazir was unsuitable to be registered and that it was not in the public interest to grant him a salesperson registration.

We found Mr. Nazir to be honest and forthright, and we accept his evidence regarding his pursuit of counselling and how well he is doing in his current employment as a lot attendant. However, while such positive steps in his rehabilitation are commendable and we encourage Mr. Nazir to continue to pursue such efforts, they do not outweigh the seriousness of his [REDACTED] and the fact that he is still [REDACTED] arising from them. In the circumstances the Registrar's concerns regarding the public interest were reasonable.

With respect to Mr. Nazir's reference to Mr. Struth, we have had an opportunity to review both the September 2020 and May 2021 decisions of the Appeal Committee in respect of the appeals by Colin Struth regarding refusals by the Registrar to grant Mr. Struth a salesperson registration. As counsel for AMVIC correctly noted, in both cases the decision of the Registrar was upheld. We do acknowledge that in both decisions there is reference to Mr. Struth having a criminal history and having been previously granted a salesperson registration with conditions and then later without conditions. As Ms. A [REDACTED] noted, having a criminal history does not automatically result in the refusal of a registration. Further, the Registrar has the authority and discretion to determine whether to grant a salesperson registration and in what circumstances to grant a registration with conditions, so long as the Registrar exercises that discretion in accordance with the Governing Authorities. Every application is assessed on its own set of facts.

In this case, it is our view that the Registrar's Decision to refuse Mr. Nazir's application for registration was consistent with the Governing Authorities, in particular sections 127(b)(vii) and (c) of the CPA and, accordingly, was reasonable. Therefore, we confirm the Registrar's Decision.

We encourage Mr. Nazir to continue his positive efforts to address the challenges arising from his [REDACTED]. We reiterate AMVIC's statement during the appeal hearing that this decision does not prevent Mr. Nazir from re-applying for registration in the future.

**Dated this 16th day of September 2026.**

"original signed by"

Denis Ducharme  
Chair – AMVIC Salesperson Appeal Committee