

**DISCIPLINE COMMITTEE OF THE  
ONTARIO COLLEGE OF TRADES**

Panel Members: ) Wednesday, the 14<sup>th</sup> Day  
 ) of September, 2016  
Raymond Ramdayal, Chair )  
Paul Sousa  
Tom Carvin

BETWEEN:

**ONTARIO COLLEGE OF TRADES**

**Applicant**

-and-

**SAJJAD BUTT**

**Respondent**

**ORDER**

**PURSUANT TO THE NOTICE OF HEARING** dated March 3, 2016, this matter was heard and determined pursuant to Section 46(1) of the *Ontario College of Trades and Apprenticeship Act* (the "Act") on Tuesday, September 13 and Wednesday, September 14, 2016;

**UPON CONSIDERING** the evidence in this matter, the submissions of counsel for the Ontario College of Trades and the submissions of the Respondent, Mr. Sajjad Butt, and upon finding the Respondent, Mr. Sajjad Butt, guilty of professional misconduct as set out in particulars (a)-(d) of the Notice of Hearing, attached as Schedule "A" to this Order, with reasons to follow, this Panel of the Discipline Committee orders that:

1. **The Respondent**, Mr. Sajjad Butt, is fined the amount of \$ 1,000.00 payable to the Minister of Finance (Consolidated Revenue Fund) within six months of the date of this Order, pursuant to section 46(5)2 of the Act;
2. **The Respondent**, Mr. Sajjad Butt, is suspended for a period of two (2) weeks commencing October 1, 2016, as determined by the Registrar, pursuant to section 46(4)2 of the Act;
3. **The Respondent**, Mr. Sajjad Butt, having waived his appeal rights, was reprimanded by the Panel at the conclusion of the hearing on September 14, 2016 and the fact of the reprimand shall be recorded on the Public Register of the Ontario College of Trades for a period of one (1) year, pursuant to section 46(5)1 of the Act;
4. **The finding** and the Order of the Panel shall be published on the Ontario College of Trades' website and in the official publication of the College, including the name of the Respondent and the name and address of the Respondent's business, pursuant to section 46(5)3 of the Act; and
5. **The Ontario College of Trades** shall file written submissions on its request for costs within 15 days of this Order and the Respondent, Mr. Sajjad Butt, shall file any responding submission 15 days thereafter. The issue of costs is reserved until the submissions are received and considered.

"Raymond Ramdayal"  
Raymond Ramdayal, Chair

I agree:

"Paul Sousa"  
Paul Sousa

I agree:

"Tom Carvin"  
Tom Carvin

**DISCIPLINE COMMITTEE OF THE  
ONTARIO COLLEGE OF TRADES**

BETWEEN:

**ONTARIO COLLEGE OF TRADES**

-and-

**SAJJAD BUTT**

**NOTICE OF HEARING**

**THE COMPLAINTS COMMITTEE OF THE ONTARIO COLLEGE OF TRADES**, pursuant to section 44, subsection (5) of the *Ontario College of Trades and Apprenticeship Act, 2009* (the "*Act*"), S.O. 2009, chapter 22, has directed that the matter hereinafter described regarding the conduct or actions of Sajjad Butt, a member of the College, be referred to the Discipline Committee of the Ontario College of Trades. The Discipline Committee, pursuant to section 46, subsection (1) of the *Act*, shall hear and determine matters referred to it by the Complaints Committee under section 44 of the *Act*.

**IT IS ALLEGED** that Sajjad Butt has engaged in professional misconduct as defined in subsection 46(2) of the *Act* and/or Ontario Regulation 97/13 made under the *Act* in that:

- a) he signed or issued, in his capacity as a member of the College, a document that he knew or ought to have known contained a false, improper or misleading statement, which is defined as professional misconduct under Ontario Regulation 97/13, subsection 1(8);
- b) he was found guilty of contravening a law, the contravention of which is relevant to his suitability to hold a certificate of qualification or statement of membership, which is defined as professional misconduct under Ontario Regulation 97/13, subsection 1(9);
- c) he failed to maintain the standards of a trade, which is defined as professional misconduct

under Ontario Regulation 97/13, subsection 1(10); and

- d) he acted or failed to act, in respect to the practice of a trade, in a manner that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, which is defined as professional misconduct under Ontario Regulation 97/13, subsection 1(11).

**PARTICULARS OF THE ALLEGATIONS ARE AS FOLLOWS:**

1. Sajjad Butt, Membership No. 13241812 (the “Member”), is a member of the Ontario College of Trades.
2. At all material times, the Member held a certificate of qualification in the trade of Automotive Service Technician, Journeypersons class, and carried on business as Discount Auto Service located on Dundas Street West in Toronto, Ontario.
3. At all material times, Discount Auto Service was licensed by the Ontario Ministry of Transportation as a Motor Vehicle Inspection Station and the Member was the licensee of the Motor Vehicle Inspection Station.
4. On May 15, 2014, the Member conducted a safety standard certificate inspection on a 1988 Mercedes Benz 56L sedan (the “Vehicle”) bearing the vehicle identification number [NUMBER] and following his inspection signed and issued a Safety Standards Certificate (#21010095) for the Vehicle, which confirmed that it met the basic safety standards to drive on public roads and highways in Ontario.
5. Less than four (4) weeks after the Safety Standards Certificate was signed and issued, the owner of the Vehicle, [OWNER], noted that the Vehicle’s rear wheels were not functioning properly and appeared to be falling off the car and/or severely out of alignment which ultimately caused [OWNER] and/or her husband, [HUSBAND], to return the Vehicle to the Member’s business, Discount Auto Service.
6. On June 10, 2014, a Ministry of Transportation inspector inspected the Vehicle and made a determination that the Vehicle was unfit to drive on public roads and highways in Ontario and

advised the Member that, due to safety concerns, the Vehicle must remain at the Member's business until repairs were complete.

7. On June 10, 2014, the Member authorized and/or allowed [HUSBAND] to drive the Vehicle off the Member's business premises and onto a public road or highway in Ontario when he knew or ought to have known that the Vehicle was unsafe to operate.
8. On May 28, 2015, the Member was convicted under the *Highway Traffic Act*, RSO 1990, c H.8 for unlawfully issuing a Safety Standards Certificate (#21010095) for the Vehicle when the Vehicle did not comply with inspection requirements and performance standards prescribed by regulations.
9. On May 28, 2015, the Member was also convicted under the *Highway Traffic Act*, RSO 1990, c H.8 for failing to ensure that the inspection premises (Discount Auto Service) were equipped with proper inspection devices and for not complying with inspection requirements and performance standards prescribed by regulations.

**A PANEL OF THE DISCIPLINE COMMITTEE WILL HOLD A HEARING** pursuant to sections 46 and 48 of the *Act* for the purpose of deciding whether the Member has engaged in professional misconduct. A copy of the *Rules of Procedure of the Discipline Committee & Fitness to Practise Committee* is enclosed.

**AN APPEARANCE WILL TAKE PLACE BEFORE THE PANEL** by teleconference on **Thursday, April 14, 2016 at 10:00 a.m. (Eastern)** to set a date for the hearing of this matter on its merits (the "Hearing"). The teleconference call-in details will be provided to all parties at least two (2) weeks prior to the teleconference. The Hearing, once scheduled, will be held at Victory Verbatim, 222 Bay Street, Suite 900, Toronto, Ontario or such other venue as the College may advise, on a date to be determined after consultation between College Counsel and the Member or his legal counsel/representative, and fixed by the Hearings Coordinator.

**THE MEMBER IS ENTITLED AND ENCOURAGED TO PARTICIPATE IN THE ABOVE-NOTED APPEARANCE BY TELECONFERENCE AND AT THE HEARING, AND IS ENTITLED TO BE REPRESENTED BY LEGAL COUNSEL OR A REPRESENTATIVE THROUGHOUT THIS PROCEEDING.**

The Member or his legal counsel/representative may contact College Counsel to discuss the scheduling of the Hearing or a pre-hearing conference to determine whether a date for the Hearing can be agreed upon. College Counsel's contact information is provided below.

**IF A DATE FOR THE HEARING IS NOT AGREED UPON AND THE MEMBER DOES NOT ATTEND THE APPEARANCE BY TELECONFERENCE ON THURSDAY, APRIL 14, 2016 AT 10:00 AM (EASTERN) TO SET A DATE FOR THE HEARING, THEN THE PANEL MAY PROCEED IN HIS ABSENCE TO SET A DATE FOR THE HEARING. NOTICE OF THE HEARING DATE WILL BE PROVIDED TO THE MEMBER IN WRITING AT HIS LAST KNOWN ADDRESS AS SHOWN IN THE RECORDS OF THE COLLEGE.**

**IF THE MEMBER DOES NOT ATTEND THE HEARING ON THE DATE SCHEDULED, THE PANEL MAY PROCEED IN HIS ABSENCE AND HE WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THE PROCEEDING.**

**IF THE PANEL FINDS THE MEMBER GUILTY OF PROFESSIONAL MISCONDUCT,** the panel shall make one or more of the following orders, pursuant to subsection 46(4) of the Act:

1. Directing the Registrar to revoke the Member's certificate of qualification or statement of membership.
2. Directing the Registrar to suspend the Member's certificate of qualification or statement of membership for a specified period, not exceeding 24 months.
3. Directing the Registrar to impose specified terms, conditions or limitations on the Member's certificate of qualification or statement of membership.
4. Directing that the Registrar not carry out a direction made under paragraph 1, 2 or 3 for a specified period and not carry out the direction at all if specified terms are met within that period.

**IN ADDITION, IF THE PANEL FINDS THE MEMBER GUILTY OF PROFESSIONAL MISCONDUCT,** the panel may make an order doing one or more of the following, pursuant to subsection 46(5) of the Act:

1. Requiring that the Member be reprimanded, admonished or counselled by the panel or its delegate and, if considered warranted, directing that the fact of the reprimand, admonishment or counselling be recorded on the register for a specified or unlimited period.
2. Imposing a fine in an amount that the panel considers appropriate, to a maximum of \$2,000, to be

paid by the Member to the Minister of Finance for payment into the Consolidated Revenue Fund.

3. Directing that the finding and the order of the panel be published, in detail or in summary, with or without the name of the Member, in the official publication of the College and in any other manner or medium that the panel considers appropriate in the particular case.
4. Fixing costs to be paid by the Member.

A member whose conduct has been directed or referred to a proceeding before the Discipline Committee or panels thereof may examine before the hearing any written or documentary evidence that will be produced or any report, the contents of which will be given as evidence at the hearing. The College must provide the member with complete disclosure at least fifteen (15) days before the hearing on the merits of all evidence in the College's possession or control relevant to the allegations that is not privileged. To obtain disclosure in this matter, the Member or his legal counsel/representative should contact Louis Strezos, College Counsel in this matter, using the contact information noted below.

**Date:** March 3, 2016

"David Tsubouchi"

David Tsubouchi  
Registrar & Chief Executive Officer  
Ontario College of Trades  
655 Bay Street, Suite 600  
Toronto, ON M5G 2K4

**To:** Sajjad Butt  
Discount Auto Service  
2486 Dundas Street West  
Toronto, ON M6P 1W9

**From:** Louis P. Strezos, College Counsel  
Barrister & Solicitor  
15 Bedford Road  
Toronto, ON M5R 2J7  
Tel: 416-944-0244  
Email: lps@15bedford.com

**End.**