

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

Ann Corbold, Chair

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) Tuesday, July 9, 2019
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BETWEEN:

ONTARIO COLLEGE OF TRADES (the “College”)

-and-

JACK ING (the “Member”)

(Member No. 13150634)

ORDER

PURSUANT TO A PRE-HEARING CONFERENCE ORDER made on May 23, 2019, this matter was heard and determined on July 9, 2019 in accordance with section 46(1)(a) of the *Ontario College of Trades and Apprenticeship Act* (the “Act”) by a one-member panel of the Discipline Committee;

UPON OBTAINING the parties’ consent that this hearing may proceed before a one-member panel in accordance with section 4.2.1(2) of the *Statutory Powers Procedure Act*, as well confirming that an Agreed Statement of Facts in this matter had been provided to the panel prior to the hearing, on the consent of the parties;

AND UPON CONSIDERING the Member’s admission to allegations in the Notice of Hearing issued on February 21, 2019; an Agreed Statement of Facts signed in counterparts on May 22, 2019 & May 23, 2019; and oral submissions on the agreed facts;

THIS PANEL OF THE DISCIPLINE COMMITTEE, pursuant to section 46(2) of the Act, found the Member

guilty of professional misconduct as set out in allegations of the Notice of Hearing;

AFTER MAKING A FINDING of professional misconduct against the Member, the panel heard joint submissions with respect to penalty and costs, as a result of which;

THIS PANEL OF THE DISCIPLINE COMMITTEE made the following orders:

1. The Registrar shall be directed to suspend the Member's Certificate of Qualification in the trade of Truck and Coach Technician ("**310T**") for a period of 12 months, commencing on the date of the Order, pursuant to paragraph 46(4)(2) of the *Ontario College of Trades and Apprenticeship Act* (the "**Act**"). The Registrar shall ensure that the suspension runs only during such periods of time when the Member holds a 310T Certificate of Qualification that is valid and not suspended for non-payment of fees. The suspension period does not run at any time during which the Member's 310T Certificate of Qualification is cancelled upon the Member resigning his membership in the College in accordance with section 28(2) of the *Act*;
2. The Registrar shall be directed to impose terms, conditions, and limitations on the Member's 310T Certificate of Qualification pursuant to paragraph 46(4)(3) of the *Act*, commencing on the date of the Order if the Member holds a valid 310T Certificate of Qualification on that date, or on the first date thereafter when the Member holds a valid 310T Certificate of Qualification. The specified terms, conditions and limitations to be imposed shall be as follows:
 - (a) "While engaging in the practice of his trade, the Member shall not perform any safety, annual or semi-annual inspections and shall not engage in activities related to any type of inspection prescribed by Regulations 601 and 611 made under the *Highway Traffic Act*, R.S.O. 1990 (the "*HTA*"), as amended from time to time."
 - (b) "While engaging in the practice of his trade, the Member shall not handle, sign, issue or participate in the issuing of any Safety Standards Certificates, Annual Inspection Certificates or Semi-Annual Inspection Certificates, and of any related Inspection Stickers or Vehicle Inspection Records, as those terms are defined or used in the *HTA* and its Regulations"
 - (c) "The Member shall inform any person who contracts for the Member's services or who employs, engages or supervises the Member in his capacity as a 310T Journeyman or Journeywoman of the terms, conditions and limitations imposed on his 310T Certificate of Qualification, by

providing such person with a copy of the Order imposing the terms, conditions and limitations”; and

- (d) “The Member shall not use his 310T Certificate of Qualification to become or continue to be registered as a Motor Vehicle Inspection Mechanic under the *HTA* and its Regulations”.

The Registrar shall be directed to ensure that the terms, conditions and limitations above apply to any 310T Certificate of Qualification held by the Member from time to time.

3. The Member shall be reprimanded by the Discipline Panel at the conclusion of the hearing and the fact of the reprimand to be recorded on the Public Register of the College for an unlimited period, pursuant to paragraph 46(5)(1) of the *Act*.
4. The finding and the Order of the Discipline Committee shall be published in summary, with the name of the Member, in the official publication of the College and on the College’s website, pursuant to paragraph 46(5)(3) of the *Act*.
5. The Member shall pay the College’s costs fixed in the amount of \$1,500, to be paid within 12 months of the date of the Order, pursuant to paragraph 46(5)(4) of the *Act*.

Date: July 9, 2019

“Ann Corbold”
Ann Corbold, Panel Chair
On behalf of the Discipline Committee

End.