

CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO
ADMISSION AND REGISTRATION COMMITTEE

IN THE MATTER OF AN APPLICATION
FOR REGISTRATION BY:

█ S █ – Applicant

NOTICE OF REFERRAL FOR A HEARING

Pursuant to section 13 of Regulation 9-1, adopted by Council under the *Chartered Professional Accountants of Ontario Act, 2017*, and the By-law governing the Chartered Professional Accountants of Ontario (CPA Ontario), I hereby request the Admission and Registration Committee (ARC) to convene an oral hearing in respect of this application.

THE GROUNDS FOR THE REQUEST ARE:

1. The Applicant applied to be registered as a student with the CPA Ontario on August 20, 2020. Having reviewed the application for registration, I am not satisfied that the Applicant has provided evidence of good character as required under Regulation 9-1: Student Registration, Obligations and Standing, Section 13: Good Character on Registration.
2. The particulars are as follows:
 - a. In █ application for registration, the Applicant answered “yes” to the question, “Have you ever been found guilty of a criminal offence or other similar offence for which a pardon has not been granted or are there any other charges pending against you”?
 - b. The questionnaire the Applicant submitted indicates that █ was charged with:
 - i. Committing an assault causing bodily harm, contrary to section 267(b) of the *Criminal Code* of Canada.
 - ii. Failing to comply with a recognizance, contrary to section 145(3) of the *Criminal Code* of Canada.
 - c. The assault occurred on May 21, 2012. During an altercation, the Applicant punched another individual in the head, which caused a concussion, a fractured skull, partial paralysis to his face, and hearing issues.

- d. After ■ was arrested, the Applicant was released on a personal recognizance, with conditions requiring ■ to obey a curfew from 12:00 a.m. to 6:00 a.m.
 - e. The Applicant was arrested for breaching ■ recognizance after ■ was found with a friend out in public and seemingly intoxicated at 3:13 a.m. on September 30, 2012.
 - f. The Applicant pleaded guilty to the charge of breaching ■ recognizance. However, ■ entered a not-guilty plea to the charge of assault causing bodily harm, asserting that ■ had acted in self defense.
 - g. At trial, the judge found that the Applicant was not acting in self defense. The Applicant was found guilty of assault causing bodily harm on July 9, 2013.
 - h. The Applicant was given a 9-month conditional sentence on October 18, 2013, with the following conditions:
 - i. Abstain from the purchase or possession of alcoholic beverages or non-prescription drugs;
 - ii. Abstain from the possession or carrying of any weapon, explosive substance or weapon as defined in the *Criminal Code*;
 - iii. Continue in school full-time and show progress reports to ■ supervisor;
 - iv. Abstain from any association or communication directly or indirectly with the victim;
 - v. Adhere to a curfew from 11:00 PM – 6:00 AM, with the exceptions of regularly scheduled employment and medical emergencies;
 - vi. A 10-year weapon prohibition order;
 - vii. A DNA order;
 - viii. Electronic monitoring; and
 - ix. No probation at the end of the conditional sentence.
3. I have determined that the Applicant otherwise meets all the criteria to be registered as a student.

December 9, 2021
Date



Heidi Franken, CPA, CA
Registrar