

CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO  
*CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO ACT, 2017*

**ADMISSION AND REGISTRATION COMMITTEE**

**IN THE MATTER OF:**     Z [REDACTED] S [REDACTED], an Applicant applying to be registered as a student under Regulation 9-1: Student Registration, Obligations and Standing, Section 13: Good Character on Registration, as amended

**TO:**                             Z [REDACTED] S [REDACTED]

**AND TO:**                     The Admission and Registration Committee

**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 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 CPA Ontario on February 24, 2023. 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. In his 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 charges pending against you?”
3. In the questionnaires submitted with his Application, the Applicant disclosed that he was convicted of driving while under the influence of alcohol contrary to section 253(1)(b) of the *Criminal Code* in relation to events that took place on March 5, 2016 and subsequently convicted of operating a vehicle while disqualified contrary to section 259 of the *Criminal Code* in relation to events that took place on February 5, 2017.
4. The particulars for the first offence are as follows:
  - a. On April 29, 2016, the Applicant entered a guilty plea in relation to the charge that on March 5, 2016 he operated a motor vehicle having consumed alcohol in such a quantity that the concentration of alcohol in his blood exceeded 80 milligrams in 100 millilitres of blood, contrary to section 253(1)(b) of the *Criminal Code*.

- b. At the plea and sentencing hearing on April 29, 2016, the Applicant through his counsel accepted an accounting of the facts giving rise to his criminal charge, including that:
    - i. The Applicant was recorded by a police officer driving 101 km per hour in a 60 km per hour zone.
    - ii. During a traffic stop, the officers detected alcohol on the Applicant's breath.
    - iii. After failing an approved roadside screening test, the Applicant provided two breath samples at the police station that showed 129 and 130 milligrams of alcohol in 100 milliliters of blood, respectively.
  - c. After finding the Applicant guilty based on his plea and the accepted facts, the Court imposed the following sentence:
    - i. A fine of \$1,000;
    - ii. A victim fine surcharge to be paid within six months; and
    - iii. A prohibition on driving a motor vehicle anywhere in Canada for a period of twelve months.
5. The particulars of the second offence are as follows:
- a. On August 17, 2017, the Applicant entered a guilty plea in relation to the charge that on February 5, 2017, he operated a motor vehicle while disqualified from doing so contrary to section 259 of the *Criminal Code*.
  - b. At the plea and sentencing hearing on August 17, 2017, the Applicant through his counsel accepted an accounting of the facts giving rise to his criminal charge, including that:
    - i. While the Applicant was operating a truck in the City of Guelph, he approached a RIDE spot check that was being conducted by officers.
    - ii. As he approached the spot check, the Applicant was observed by an officer who was detailed to detect drivers who appear to be avoiding the RIDE spot check to slow down, hesitate and then turn left into a small residential street, apparently to avoid contact with the RIDE officers.
    - iii. After being stopped by officers, it was revealed that the Applicant was a participant in the ignition interlock program. However, the Applicant was unable to produce a properly installed and working interlock device as required as a condition of his license.

- c. After finding the Applicant guilty based on his plea and the accepted facts, the Court imposed the following sentence:
- i. A fine of \$1000;
  - ii. A victim fine surcharge of \$300 to be paid in ninety days; and
  - iii. A prohibition on driving a motor vehicle anywhere in Canada for one year.
6. I have determined that the Applicant otherwise meets all the criteria for registration.

September 14, 2023

\_\_\_\_\_  
Date

A handwritten signature in blue ink that reads "Heidi Franken". The signature is written in a cursive, flowing style.

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Heidi Franken, CPA, CA  
Vice-President, Registrar