

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

ADMISSION AND REGISTRATION COMMITTEE

IN THE MATTER OF: A good character hearing into A [REDACTED] R [REDACTED], an applicant for admission to membership with the Chartered Professional Accountants of Ontario, pursuant to Regulation 7-1: Admission to Membership, Obligations and Standing, Section 14: Good Character on Admission and Section 15: Credibility on Admission, as amended.

BETWEEN:

A [REDACTED] R [REDACTED]

-and-

**Chartered Professional Accountants of Ontario
Registrar**

APPEARANCES:

For the Applicant, A [REDACTED] R [REDACTED]: Present
Michael Burokas, Counsel

For the Registrar: Benjamin Kates and Jennifer Zhang, Counsel

Heard: July 7, 10 and 25, 2025

Decision and Order effective: September 2, 2025

Release of written reasons: September 2, 2025

REASONS FOR THE DECISION AND ORDER MADE SEPTEMBER 2, 2025

I. INTRODUCTION

[1] This hearing was held by videoconference to determine whether the Applicant, A [REDACTED] R [REDACTED] (the “Applicant”) was of good character at the time of the hearing and thereby met the requirements for admission to membership in the Chartered Professional Accountants of Ontario (“CPA Ontario”).

[2] The Registrar referred this matter to the Admission and Registration Committee (the “ARC”) because the Applicant’s application for membership required an assessment of the Applicant’s credibility and his good character. The Applicant was criminally convicted of five counts of fraud over \$5,000 in 2009 and he was criminally convicted of perjury in 2011. In the Applicant’s student application to CPA Ontario in 2020, the Applicant failed to disclose his criminal offences as required.

[3] After considering the evidence in the hearing, the Registrar opposed the Applicant’s application for membership to CPA Ontario on the basis that he lacked credibility and had not established that he met the good character requirements for admission to membership.

II. ISSUES

[4] There were two key issues in this hearing:

1. Did the evidence establish on a balance of probabilities that the Applicant was credible with respect to his student application to CPA Ontario?
2. Did the Applicant establish on a balance of probabilities that he was of good character at the time of the hearing?

III. DECISION

[5] The Panel found that the Applicant failed to provide satisfactory evidence that he was of good character at the time of the hearing and he therefore did not meet the qualifications for membership.

IV. FACTS

Agreed Statement of Facts and Undisputed Facts

[6] The parties submitted an Agreed Statement of Facts (Exhibit 1) that set out the circumstances related to the Applicant’s criminal offences and his application to CPA Ontario. The Agreed Statement of Facts was supported by a Joint Book of Documents (Exhibit 2). The following is a summary of the undisputed facts.

The Applicant's Participation in a Fraudulent Conspiracy - 2008

- [7] In or about 2008, when the Applicant was 21 years old and was attending his third year of university, the Applicant, together with several accomplices, engaged in a sophisticated fraudulent scheme. The scheme involved the theft from customers at retail stores of their debit card information through illegal means.
- [8] The fraudulent scheme operated in the following manner: cashiers at targeted stores would be co-opted to turn a blind eye while a member of the conspiracy removed the PIN pad from the debit machine and replaced it with a decoy machine. The PIN pad was then taken to another site and altered to enable the conspirators to steal data from subsequent uses of the PIN pad. The original now-altered PIN pad would then be returned and reinstalled at the retail store. A member of the conspiracy would return to the store later to recover the data using an electronic device, possibly a laptop. The stolen data was then used to produce counterfeit debit or credit cards that were, in turn, used to withdraw funds from the targeted bank accounts by way of automated teller machines.
- [9] There were at least 25 people other than the Applicant involved in the fraudulent scheme. The entire scheme resulted in the theft of approximately \$500,000.
- [10] The Applicant's role was to recruit a cashier at a retail store where one such fraud was carried out and convince them to commit a crime. The Applicant arranged for the PIN pad used by the co-opted employee to be swapped for a decoy in September 2008 and then again in December 2008. The net proceeds from this fraud at this location totaled approximately \$40,000.
- [11] The fraudulent scheme was ultimately uncovered by a lengthy investigation by the Durham Regional Police Service. Over the course of the investigation, police seized at least \$45,000 in cash and equipment, including safes and forged debit cards from one or more debit card forging labs. A total of 26 individuals were charged.
- [12] Police initially charged the Applicant with 15 counts of fraud over \$5,000, 15 counts of unlawful possession of credit card data, three counts of theft under \$5,000, participation in a criminal organization, six counts of breach of recognizance, possession of property obtained by crime and possession of proceeds of crime.

Applicant's Breach of Bail Conditions – 2009

- [13] The Applicant was arrested in February 2009 and was held in custody for 3 months. He was unable to get bail until his uncle posted bail or surety in the early summer of 2009. The Applicant then lived with his uncle as one of the conditions of his recognizance.
- [14] Under the Applicant's recognizance, he was only allowed to leave his uncle's home to go to classes at university. One day on the way to university, the Applicant and his cousin went to a store to buy school supplies. The police followed them, and the Applicant was charged with breaching the terms of his recognizance. The Applicant was returned to jail.

Applicant's Perjury - 2011

- [15] On November 24, 2009, as a part of a plea deal, the Applicant entered guilty pleas in relation to five counts of fraud over \$5,000. The remaining charges were dropped. As a part of the plea deal, the Applicant was required to:
- a. serve a 729-day conditional sentence and a 2-year probation;
 - b. agree to an agreed statement of facts implicating a co-accused who was the ringleader of the fraudulent scheme (the "Co-accused");
 - c. testify at the trial of the Co-accused; and
 - d. forfeit \$35,000 found in the Applicant's safety deposit box.
- [16] The Applicant, who had legal representation, entered into the agreed statement of facts that implicated the Co-accused of the crimes he committed. He later confirmed the truth of the agreed statement of facts under oath in Court when he pled guilty and testified, saying that it was "100 per cent accurate."
- [17] At the Applicant's trial on November 24, 2009, the presiding judge accepted the Applicant's guilty plea on the basis of the Applicant's assurance (under oath) that the plea was voluntary and the Applicant's testimony that the plea was founded on evidence that was true and accurate.

- [18] The presiding judge accepted the plea deal, and the Applicant was criminally convicted of five counts of fraud over \$5,000 pursuant to the [Criminal Code of Canada](#). The Applicant benefited considerably from his guilty plea and his pretrial statements.
- [19] The Applicant was sentenced to a 729 day conditional sentence and a 2-year probation.
- [20] The Applicant subsequently testified at the preliminary inquiry of the Co-accused and as agreed in his plea bargain, the Applicant gave evidence at the inquiry that was consistent with the agreed statement of facts.
- [21] However, at the trial of the Co-accused in 2011, the Applicant lied during his testimony and gave information that differed from what he had agreed to in the agreed statement of facts. He also recanted portions of the agreed statement of facts.
- [22] The Applicant's lies at the Co-accused's trial discredited the police investigation. Although the Co-accused was sentenced to six years in jail at the trial, on appeal, the Court found that the Crown did not do enough to warn the jury about the Applicant's false evidence, and the Co-accused was acquitted. This was a miscarriage of justice.
- [23] As a result of his false testimony at the trial of the Co-accused, the Applicant was charged with perjury, attempt to obstruct justice, conspiracy to commit perjury, and breach of conditional sentence in and around July 2011.
- [24] On February 6, 2012, the Applicant was found guilty of perjury in relation to his false testimony at the trial of his Co-accused. The Applicant was sentenced to one year incarceration and a one-year probation.
- [25] The Applicant received early parole after four months in part because his wife had enrolled him in a program called Reflection and Anger Management. This program involved 12 weekly group sessions out of jail that were completed in the fall of 2012.

Applicant's Application to CPA Ontario

- [26] On July 13, 2020, the Applicant applied to register as a student with CPA Ontario ("Student Application"). In his Student Application, the Applicant answered "no" 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?”

[27] It was not disputed that when the Applicant submitted his Student Application, he had been found guilty of several criminal offences for which he had not received a pardon.

[28] In the Student Application, the Applicant declared that:

- a. The information he submitted was “accurate, true, and complete.”
- b. He understood that the information provided in the application was essential to CPA Ontario in considering his application and determining his eligibility for registration as a student.
- c. He understood that any false or misleading statement contained in his application might be used in a proceeding about his application to, or status in, CPA Ontario.
- d. He would advise CPA Ontario of any changes to the information provided in the Student Application to CPA Ontario in a timely manner.
- e. He understood and would abide by CPA Ontario’s by-laws, regulation and policies including the Student Code of Conduct (section 103 of the Student Code of Conduct states that a Student shall not make or associate with any information which the Student knows, or should know, is false or misleading, whether by statement or omission).

[29] On the same day that he submitted the Student Application, the Applicant submitted his Annual Student Dues – Submission Summary to CPA Ontario. The Applicant again confirmed that the information that he provided to CPA Ontario was accurate, true and complete.

[30] On July 17, 2020, the Applicant was admitted as a Student with CPA Ontario.

[31] Prior to submitting the Student Application, the Applicant applied to the Parole Board for a pardon respecting his criminal offences. In November 2020, the Applicant was contacted by the Parole Board and told that he needed to submit more documents to receive his

pardon. The Applicant did not contact CPA Ontario at that time to advise that he had provided false information in his Student Application.

[32] The Applicant again submitted his Annual Student Dues Submissions on or about February 22, 2021 and February 9, 2022. On each of these occasions, the Applicant confirmed that the information that he provided to CPA Ontario was accurate, true and complete.

[33] On April 7, 2021, the Applicant was awarded a pardon under the *Criminal Records Act* for his 2009 criminal convictions for fraud over \$5,000 and 2012 criminal conviction for perjury. The Applicant did not contact CPA Ontario when he received the pardon to correct the information in his Student Application.

[34] In and around February 2022, while processing a pre-assessment request submitted by the Applicant in the Practical Experience Reporting Tool, CPA Ontario became aware of public reports regarding the Applicant's undisclosed criminal history.

[35] The Applicant applied for membership with CPA Ontario on March 29, 2024.

Applicant's Evidence

Circumstances of Criminal Offences

[36] The Applicant testified that he was from a strict but loving family where he was expected to go to university, get a good job and raise a family. The Applicant did well in school, and he really enjoyed an accounting course that he took in high school and decided he wanted to be an accountant.

[37] The Applicant's father died suddenly of a heart attack in September 2007. The Applicant was almost 20 years old and was in his second year of university. His father's death had a profound effect on the Applicant as he was very close to his father.

[38] After his father's death, the Applicant took a semester off and began to associate with a group of men that he played with in a South Asian basketball league that played near York University. The Applicant saw that some of these men drove nice cars, had nice clothes and flashed a lot of money around. The Applicant knew that that these men were involved

in criminal activities, and their affluence came from the proceeds of crime, but he continued to spend time with them.

[39] The Applicant was curious and asked these individuals about how he could make money and was promised a return of upwards of \$60,000 to \$70,000 if he participated in a criminal scheme.

[40] The Applicant became actively involved in the debit card fraud scheme in the summer and fall of 2008. At that time, he had started his third year of university and was two years away from graduating and becoming a CPA student.

[41] During direct examination at the hearing, the Applicant's counsel asked him how he now considered his involvement in the fraud ring, and he said it was the second biggest mistake in his life (second to not taking his father to the hospital immediately when he had his heart attack). The Applicant said that he was "very young" and had no purpose. He was excited by the prospect of making so much money and blind to the criminal aspects and consequences of this fraudulent scheme. The Applicant testified that he did not know why he considered engaging in crime at the time, but he would not do it again. He said that people he didn't know were hurt by his actions as well as his family. When asked by his counsel who had been hurt, the Applicant named the people whose credit cards were compromised and "inconvenienced" and his family, particularly his mother who paid his legal bills. The Applicant added that he also hurt himself.

[42] In response to a question from the Panel, the Applicant explained how he targeted the cashier and convinced her to participate in the scheme. He said that he had known her for six years through mutual friends and she was a good friend and member of his community.

[43] When asked on cross-examination about the customers whose credit card information was compromised, the Applicant said that he did not know if they were ever reimbursed by their banks, but he appreciated that they were innocent victims.

[44] The Applicant testified that when he was arrested on February 24, 2009, he decided that he would "go on the right path" thereafter and committed to doing the right thing no matter what.

- [45] With respect to the breach of his bail conditions in the summer of 2009, the Applicant explained this was a “stupid mistake” and a “lapse in judgment.” On cross-examination it was pointed out that despite describing himself as a diligent person, who had vowed to always do the right thing a few months earlier, he broke the terms of his bail.
- [46] In terms of his plea agreement, the Applicant testified that he was promised by the lead detective that nothing bad would happen if he testified against the Co-accused and he would be protected.
- [47] The Applicant testified that he perjured himself to protect himself and his family. The Applicant said that he received blocked phone calls about 10 days before the trial that threatened harm to himself and his family if he testified against the Co-accused. He said that two or three days before the trial, two different people approached him at university and advised him not to testify against the Co-accused (he could not recall what they said, but he felt threatened). The Applicant said that he saw cars driving back and forth near his home, although he was not sure if this was related to his intended appearance at the trial of the Co-accused.
- [48] The Applicant explained that he did not go to the police at the time of the alleged threats because he did not trust the legal system and he was scared because he knew that the Co-accused was a “known person” in his community. Upon reflection, the Applicant said that he realized that the police had relied on his statements and trusted him. The Applicant said that he now appreciated that he broke the trust of the police and should have relied on the legal system.
- [49] The Applicant testified that after his convictions, he learned to “always double, triple, quadruple question yourself on every decision whether it is 100% correct... and never go towards evil.” Also, he said that it is important to not hurt innocent people.

Student Application to CPA Ontario and Subsequent Representations

- [50] The Applicant testified that he was determined to take the necessary steps to become a CPA from 2012 and he researched what was required to obtain his designation. He graduated in 2015. The Applicant did not apply for student registration at CPA Ontario when he was first eligible in 2015, stating he decided to wait until he received his pardon.

- [51] The Applicant testified that in 2012, the law was changed so that people would need to wait 10 years for a pardon after their conviction rather than five years. This meant that the Applicant was not eligible for a pardon for his fraud and perjury convictions until 2021. However, the Applicant carefully monitored a court challenge to this legislation brought in Quebec where individuals convicted prior to the legislation were grand parented and could apply for a pardon after five years.
- [52] When the Quebec challenge to the legislation was successful, the Applicant applied to the Parole Board for a pardon in January 2019 using the services of a company that specialized in obtaining pardons for its clients (Company D). When he spoke to R, the owner of Company D, R told him that once they submitted his documents, he would get the pardon in 8 to 12 months.
- [53] The Applicant testified that he regularly emailed R and Company D asking them for updates and they would tell him that he needed to submit more documents. From June to December 2019, he did not receive any information from R about the status of his pardon application. By March 2020, when the COVID 19 pandemic began, the Applicant said that he was calling R and Company D “off the hook” and emailing them asking about the status of the pardon. The Applicant did not retain any of the email correspondence between himself and R or Company D. He explained that in 2023 he deleted all of his earlier emails to avoid additional email storage charges. At that time, he was a CPA Ontario student and wanted to be a CPA Ontario member. He knew that he was likely to have a good character hearing.
- [54] The Applicant testified that in April or May 2020, a “receptionist or whoever picked up the phone” at Company D told him that they had received his pardon. The Applicant testified that he did not receive any written confirmation that he had received a pardon; rather, he said that he simply took the word of this unknown person.
- [55] The Applicant testified that when he filled out the Student Application in June 2020, he believed that he had a pardon and answered “no” to the question related to criminal convictions. He said that this was a “huge mistake,” and he should have checked to see if he was pardoned or obtained a police check to ensure that he was pardoned. The Applicant testified that he did not try to mislead CPA Ontario. He explained that he could

not hide his “charges” and CPA Ontario could google his name any time and see that he had criminal convictions.

[56] On cross-examination, the Applicant was challenged to explain why he answered “no” to this question when he had not received a copy of the pardon, he had spent years following the issue of grandparenting in the courts, he had been diligent in reaching out to Company D for updates, and his application was a critical step in fulfilling his dream of becoming a CPA. The Applicant explained that a family member was in the hospital at the time and he was not paying attention. He also said that as of July 2022, he had not read the bylaws, regulations or the Student Code of Conduct.

[57] In 2022, there was a complaint to CPA Ontario Standards Enforcement about the Applicant’s failure to disclose his criminal convictions. The Applicant was aware that this was serious and could have resulted in a discipline process.

[58] The Applicant sent an undated letter responding to Standards Enforcement about his non-disclosure (at the request of the parties, this letter was not marked as an exhibit). In this letter, the Applicant was given an opportunity to explain what had happened when he provided false information in his Student Application. In response to a question about why he had not reported his convictions to CPA Ontario, the Applicant wrote:

“a. During the time I applied to start my CPA Designation, I was told by [Company D] that I would receive my pardon by May 2020. I was able to apply for my pardon February 2019 and it usually takes one to three months to obtain the pardon. When applying for my CPA Designation, I was under the impression that the questionnaire asked if I had a criminal record that I was not pardoned for but [I] have now come to realize that it stated to include pardoned charges.....[mentions young family and work pressures] There is no reason as to why I misread this question, but I do not believe I would have intentionally provided a misleading answer to this question as I was in line for a pardon.

b. Pardon Background: I used [Company D] to help obtain my pardon in July 2019. [R], the Owner of [Company D] informed me I would be pardoned by May 2020, as I submitted all my documents in December

2019. At that time, I was under the assumption that I was fully pardoned, until the Parole Board sent me a notice requesting further information in November 2020...[Company D's] office was unable to follow up on my case and did not notify me my pardon was still pending. They were under the same assumption that all paperwork was complete until I contacted them in November 2020 for advice on how to proceed." (emphasis added)

- [59] The Applicant did not mention the alleged phone call with the unknown person at Company D. He stated that he understood that he "would receive the pardon" and that he assumed that he had the pardon in 2020 – not that he was told that he received the pardon in April or May 2020. He also stated that Company D assumed that the paperwork was complete – not that they believed that he had a pardon.
- [60] When asked about this in cross-examination, the Applicant explained that English was not his strong suit, and he meant to say that he was told that he was pardoned.
- [61] In response to a question from the Panel, the Applicant said that he should have proofread his letter to Standards Enforcement but when he read the statement, he believed that it stated that he had received a pardon.
- [62] The Applicant was asked about Witness C's evidence that the Applicant was advised not to disclose his criminal convictions on his application based on advice he had received (see para. [87] below). He did not deny this but did not address the question directly.
- [63] In November 2020, when the Applicant learned that he had not received a pardon, he testified that he did not think to contact CPA Ontario. He again said that there were issues in his personal life at the time.
- [64] In July 2020, February 2021 and April 2021 when the Applicant filled out his Annual Student Dues and said that the information he previously provided to CPA Ontario was accurate and he was obliged to disclose fraud and perjury to CPA Ontario, he said this was an oversight or he forgot. The Applicant said that he was not aware of any obligation to correct the false information and had not read the by-laws or Student Code. He also explained that that he was usually late paying these amounts and so he was rushing through the forms.

[65] When the Applicant received his pardon in April 2021, he did not contact CPA Ontario to correct the false information provided a year earlier. His counsel asked the Applicant why he did not correct this information, and he answered that he wasn't thinking and forgot that he answered the question wrong: "It didn't click."

Events Since Criminal Offences

[66] At the time of the hearing, the Applicant was 37 years old, was married and had two children, with a third child due shortly.

[67] The Applicant explained that when he was released from jail in 2012, he became more focused on his career and family. The Applicant's mother had paid his legal bills, and he wanted to pay her back. He reconnected with his high school friends and also started to go to temple and church regularly. He participated in a food program at the Temple on Friday nights since 2015 and was involved in a sports club since 2023.

[68] The Applicant did not seek counselling or therapy after he was incarcerated. The Applicant explained that he was too busy trying to make money and he found that talking to people every day helped "get [his] mind off things." He also said that he could not afford counselling. In his Reply evidence, the Applicant stated that although he did not have anything against counselling, he did not feel that he needed counselling because he was at a good point in his life and everything was going well – "I am a happy guy and I don't have issues arising."

[69] After graduating from university in 2015, the Applicant worked for his uncle's job agency from 2015 to 2016. He then worked in the Accounts Payable department at a food business. From May 2017 to 2020, the Applicant worked for a company that owned restaurants, describing his position as "accountant/senior accountant/analyst." From 2019 to 2021, the Applicant also did contract work for a fitness company. In August 2020, he started work as a senior accountant at a company that made clothing. He started work full time as a senior accountant with the fitness company in 2025 and was still employed there at the time of the hearing.

[70] The Applicant applied for a license to be a real estate salesperson in June 2023 with the Real Estate Council of Ontario ("RECO"). After the issues with his CPA Ontario application

were discovered in February 2022, the Applicant disclosed his criminal convictions to RECO even though it was not required.

Applicant's Character Evidence

[71] The Applicant presented four-character witnesses at the hearing as well as seven reference letters attesting to his character.

Witness A – Friend

[72] Witness A was a friend who met the Applicant in 2012 while they were both studying at university. He said that the Applicant was very smart and had helped him in school and had given him career advice over the years. Witness A recalled that the Applicant had been passionate about accounting since 2012.

[73] The Applicant had told Witness A that he was involved in a debit fraud crime, however Witness A could not recall the details of the Applicant's disclosure. Witness A did not mention the breach of the Applicant's bail conditions, his perjury conviction or his non-disclosure to CPA Ontario when first asked. He said that the Applicant was "deeply remorseful" and now realized that the mistakes weren't worth it. On cross-examination, Witness A agreed that the Applicant spoke about the impact of the convictions on himself and "in general" but that he did not speak about the victims. He added, though, that the Applicant was a family man who would not break the law again.

[74] Witness A testified about the Applicant's charity work with toys for children and described the Applicant as a leader in the community and a great person.

[75] A Panel member asked Witness A about the Applicant's failure to disclose his convictions to CPA Ontario. Witness A said that the Applicant mentioned this issue a while ago, but Witness A recalled that the Applicant told him that he had believed that he had received a pardon when he filled out his Student Application and there was a "miscommunication."

Witness B – Friend

[76] Witness B became a CMA in 2012 and is a member in good standing of CPA Ontario. He. He and the Applicant were good friends, who had known each other since 2003. Witness B recalled that the Applicant became interested in accounting in Grade 11.

- [77] Witness B spoke about the death of the Applicant's father and impact of this loss on the Applicant, describing the Applicant as being rudderless without his father. Witness B heard that the Applicant was engaged with people known for criminal activities and later learned about the Applicant's fraud convictions and subsequent perjury conviction. The Applicant told Witness B that he had perjured himself because he was worried about the safety of his family and himself. Witness B did not believe that the Applicant exercised the best judgment when he lied to the Court.
- [78] Witness B reconnected with the Applicant in 2012 when they were both in university. He said that the Applicant was still passionate about accounting, and he was determined to move towards this career and give back to his community. Witness B spoke about the Applicant's admirable volunteer work at the Temple.
- [79] Witness B said that the Applicant never discussed the victims of his crimes but regretted his actions. Witness B said that the convictions were "a personal sore spot for him."
- [80] On cross-examination, Witness B agreed that given the Applicant's strong interest in becoming a CPA, he would have expected the Applicant to be diligent and careful in the process of becoming a CPA.
- [81] With respect to the Applicant's failure to tell CPA Ontario about his convictions, Witness B testified that the Applicant told him that he was under the impression that he had a pardon and this was an honest mistake though miscommunication.

Witness C – Professional Relationship

- [82] Witness C was the owner and founder of a fitness company that initially retained the Applicant to be a part time bookkeeper in 2019. Witness C said that he had known the Applicant for six years and was introduced to him by mutual friends who told him about the fraud and perjury convictions. Witness C said that he understood that the Applicant was young at the time of the convictions. He also said that the Applicant had turned his life around and he found the Applicant to be trustworthy.
- [83] When Witness C interviewed the Applicant in 2019, the Applicant told Witness C about the history of his convictions. Witness C's main concern was that this was not a victimless

crime. He found the Applicant to be forthcoming and remorseful about what happened. Witness C believed in giving people a second chance.

[84] Witness C was happy with the Applicant's work, and the Applicant only stopped working for him in 2021 because the fitness company was growing and the Applicant had another full-time job. In January 2025, Witness C re-hired the Applicant as a senior accountant.

[85] The Applicant also was the realtor for Witness C in 2024, and Witness C was very pleased with the Applicant's services. He described the Applicant as honest, hardworking, and trustworthy.

[86] In answer to a question from a Panel member, Witness C said that the Applicant cares about everything that he does, checks everything to make sure it is correct, and makes sure that every last detail is taken care of.

[87] The Panel member then asked Witness C what the Applicant told him about his Student Application to CPA Ontario and why there was an error or omission in his application. Witness C, who testified that his understanding of the issue came from a conversation with the Applicant, said:

My understanding of it is that he was in the process of getting pardoned and his advice was not to include that, but... from what I know it was handled a few months afterwards. So, I am not going to say it was an innocent mistake, certainly not, but it's something that I understood. I thought that it probably was not the smartest choice and he probably should have double checked it, but it was something that was in the process at the time and that's why it was omitted.

Witness D – Friend

[88] Witness D was a work colleague and knew the Applicant since 2017 and then they became friends. Witness D became aware of the Applicant's past after the Applicant left the company where he worked. The Applicant explained that he got himself caught up in credit card fraud when he was a teenager and he was now very remorseful. Witness D was aware of the perjury conviction, and the Applicant told him that he was worried about other people involved and had lied to keep his family and himself safe.

[89] Witness D said that the Applicant was remorseful and called himself “an idiot.” He believed that the Applicant was genuine by the look on his face. Witness D testified that the Applicant appreciated that he hurt people.

[90] When asked why CPA Ontario should admit the Applicant to membership, Witness D said that he believed that the Applicant deserved a second chance because he was a teenager when he committed his mistakes. Witness D had no concerns about the Applicant’s integrity.

[91] On cross-examination, counsel for the Registrar pointed out that the Applicant was an adult (21 years old) when he committed the criminal offences, and this was not a youthful transgression.

Supporting Letters

[92] The Applicant submitted seven supporting letters (Exhibit 2, pages 56-74 and 75-77). The letters were from five friends, a client, and a religious organization where the Applicant had volunteered. Although none of the letters set out exactly what the authors knew about the underlying issues in the hearing, five of the letters indicated that they were aware of the Applicant’s past. None of the letters mentioned the issue of the false information that the Applicant provided to CPA Ontario.

[93] With respect to the issue of the Applicant’s remorse, four of the letters commented on this and said that the Applicant was “saddened by the decision that he had made”; had “deep regret”; “has learned from the past”; and “was truly sorry for what he has done.”

[94] All of the letters were very positive about the Applicant’s hard work, involvement in the community and strong family values. The Applicant’s friends wrote about his dependability and loyalty.

V. REASONS FOR DECISION

Requirements for Admission to CPA Ontario

[95] Once an applicant has completed the other qualifications for admission to membership in CPA Ontario, they are required to provide evidence satisfactory to the Registrar that they meet the good character requirement (subsubsection 3.4 of Regulation 7-1).

- [96] It is implicit in this mandatory requirement that the onus is on the applicant to establish their good character. The standard of proof in regulatory matters, unless stated otherwise, is a balance of probabilities. This means that the applicant must establish that it is “more likely than not” that they are a person of good character.
- [97] The Registrar shall not admit an applicant to membership in CPA Ontario where the applicant has provided information to CPA Ontario that is false or misleading (subsection 6.2 of Regulation 7-1).
- [98] Where the Registrar is not satisfied with the evidence provided by an applicant about their good character, or where the evaluation of an application for membership requires assessment of the applicant’s credibility, the Registrar shall refer the matter to an oral hearing before the ARC (sections 14 and 15 of Regulation 7-1).
- [99] At the oral hearing, a panel of the ARC must assess the applicant’s credibility and character as of the time of the hearing. In other words, while there is evidence that the applicant historically made a poor choice or choices or exercised poor judgment, the issue for the panel’s determination is whether the applicant is currently a person who possesses good character. CPA Ontario jurisprudence recognizes that character can change over time.
- [100] If the ARC determines that an applicant has not met the good character requirement, the ARC shall make an order refusing the applicant’s membership in CPA Ontario and may impose conditions for reapplication if appropriate (section 20 of Regulation 7-1).
- [101] If, on the other hand, the ARC is satisfied that an applicant has met the qualifications for membership, the ARC shall make an order admitting the applicant and may order conditions and restrictions if appropriate (section 22 of Regulation 7-1).

Definition of Good Character

- [102] “Good character” is not defined in the CPA Ontario Regulations. The following definition of good character made in a Law Society of Ontario decision, [*Law Society of Upper Canada v Preya*](#), has been adopted by ARC:

[Good character consists of] that combination of qualities or features distinguishing one person from another. Good character connotes moral or

ethical strength, distinguishable as an amalgam of virtuous attributes or traits which undoubtedly include, among others, integrity, candour, empathy and honesty.

[103] In an often-cited article about good character, Madam Justice Southin of the British Columbia Court of Appeal, wrote about what constitutes good character and stated:

“[G]ood character” means those qualities which might reasonably be considered in the eyes of reasonable men and women to be relevant to the practice of law...Character...comprises...at least these qualities:

1. An appreciation of the difference between right and wrong; and
2. The moral fibre to do that which is right, no matter how uncomfortable the doing may be and not to do that which is wrong no matter what the consequences may be to oneself;
3. A belief that the law at least in so far as it forbids things which are malum in se must be upheld and the courage to see that it is upheld.

[104] The purpose of the good character requirement is threefold:

- a. to protect members of the public who retain accounting professionals;
- b. to ensure that the accounting profession maintains a reputation for high professional and ethical standards; and
- c. to demonstrate that CPA Ontario can effectively regulate chartered professional accountants.

Factors to be Considered in Assessment of Good Character

[105] Although the ARC panel considering an applicant’s good character is required to make a global assessment of their moral and ethical strength at the time of the hearing, the factors commonly used by panels to assess whether an applicant meets the good character requirement for licensure are as follows:

- a. the nature and duration of the misconduct;

- b. whether the applicant is remorseful;
- c. what rehabilitative efforts, if any, have been taken, and the success of such efforts;
- d. the applicant's conduct since the proven misconduct; and
- e. the passage of time since the misconduct.

[106] In applying these factors, the ARC panel is not making a mathematical calculation or, as counsel for the Registrar described, the panel is not creating a score card. The ARC panel must take a wholistic approach and weigh the factors together. In many cases, these factors will overlap or be interrelated. Each case must be decided based on its own facts and different weight may be placed on the factors depending on the applicant's circumstances and the issues in the hearing.

[107] The test for good character is not perfection. While the ARC panel must consider the seriousness of the past misconduct, this must be balanced against any evidence that the applicant has gained insight into the seriousness of their misconduct, expressed sincere remorse, engaged in rehabilitative measures, and has not committed any further misconduct. In order to assure the public that these changes are genuine, and the applicant is ready to take on the professional and ethical responsibilities of a CPA, a sufficient amount of time must have passed since the misconduct. Again, there is no magic number; rather the amount of time since the misconduct will vary according to the seriousness of the misconduct and other evidence.

[108] In taking a hard look at an application for membership through the hearing process, the public will be reassured that CPA Ontario takes the integrity of its members seriously. The CPA designation is a certification to the public that the new member is currently a person to be trusted despite their historic misconduct.

Effect of Pardon on Good Character Enquiry

[109] The Applicant received a pardon from the Parole Board of Canada on April 7, 2021. It was not disputed that the while the Applicant's pardon was a relevant factor to be considered in the good character hearing, and that it was a factor in favour of the Applicant, the existence of the pardon did not preclude the Panel from considering the underlying facts that lead to the criminal convictions.

[110] In the seminal case respecting the implications of a pardon on a review of good character, [Montreal \(City\) v Quebec \(Commission des droits de la personne set des droits de la jeunesse\)](#), the Supreme Court held:

[...] A pardon does not have an absolute effect and does not erase the past. Neither a discharge nor a pardon allows a person to deny that he or she was found guilty of an offence. The facts surrounding the offence did occur, but the pardon helps obliterate the stigma attached to the finding of guilt...It must be presumed that the person completely recovered his or her moral integrity. (at para. 20)

[111] However, the pardon is not necessarily a full answer and defence, particularly where there is additional evidence of bad character not covered by the pardon. ([A.C. v CPAO](#) at para. 37).

How to Assess Credibility

[112] The parties agreed that the Panel was required to determine whether, on a balance of probabilities, the Applicant was credible when he testified that he honestly believed that he had a pardon when he submitted his Student Application in July 2020. The Panel also considered whether the Applicant was credible when he testified that after he learned that he did not have a pardon in November 2020, he failed to correct his misrepresentation because it slipped his mind, and these were honest omissions.

[113] In the seminal case on the assessment of a witness's credibility, [Faryna v. Chorny](#), the British Columbia Court of Appeal, provided guidance about the appropriate approach to this challenging task:

The credibility of interested witnesses, particularly in cases of conflict of evidence, cannot be gauged solely by the test of whether the personal demeanour of the particular witness carried conviction of the truth. The test must reasonably subject [a witness's] story to an examination of its consistency with the probabilities that surround the currently existing conditions. In short, the real test of the truth of the story of a witness must be its harmony with the preponderance of the probabilities which a practical and informed person would readily recognize as reasonable in

that place and in those conditions. Only thus can a Court satisfactorily appraise the testimony of quick-minded, experienced and confident witnesses, and of those shrewd persons adept in the half-lie and of long and successful experience in combining skillful exaggeration with partial suppression of the truth. (at pages 356-357).

- [114] This approach has been widely accepted by the courts and tribunals, including CPA Ontario (for example, in [X.L. v CPAO](#)). Furthermore, while assessing credibility, the issue is not the conformity of a witness's story with the majority of other witnesses. An adjudicator can believe one witness against many: the test is not the relative number of witnesses. Also, an adjudicator can find that part of what a witness testifies about lacks credibility but accept other aspects of that witness's testimony ([X.L v CPAO](#) at para 102).

Analysis

Credibility of the Applicant that False Information on Student Application was Unintentional

- [115] There was no dispute that the Applicant provided false and misleading information to CPA Ontario on July 13, 2020, when he applied to register as a student with CPA Ontario and said that he had never been found guilty of a criminal offence. He did not have a pardon for his criminal offences when he submitted his Student Application.
- [116] Counsel for the Registrar asked the Panel to consider the Applicant's circumstances and his character traits, described as careful, detailed and diligent by himself and several character witnesses, and to conclude that it was more likely than not that the Applicant lied to CPA Ontario when he submitted his Student Application.
- [117] Counsel for the Applicant asked the Panel to find that the Applicant believed that he had received a pardon for his criminal convictions when he submitted his Student Application. Counsel submitted that the Applicant's false and misleading information provided to CPA Ontario reflected poorly on his competence but did not constitute intentional misrepresentation. While counsel noted that the Applicant's evidence was self-serving, he submitted that the Panel should consider the Applicant's acknowledgments of the seriousness of his convictions and his openness about his historic poor decisions, including the decision to submit the Student Application without verification that he had a pardon and then his subsequent failure to correct this error.

- [118] In determining whether it was established on a balance of probabilities that the Applicant was intentionally untruthful, the Panel analyzed the Applicant's version of events in light of the surrounding facts, including the evidence of one of the Applicant's character witnesses who said that the Applicant did not commit an innocent mistake and the Applicant's failure to mention his alleged conversation with an unknown employee of Company D in his response to Standards Enforcement. The Panel did not focus on the Applicant's demeanour at the hearing, but rather on the consistency of the Applicant's story with other evidence presented at the hearing, as well as common sense. The Panel concluded that it was more probable than not that the Applicant's story about a phone call with an unknown person at Company D advising him that he had a pardon was untrue.
- [119] The application process itself is a key contextual factor. The question about criminal convictions is the first question on the Student Application related to good character. The Applicant was required to sign an attestation that this information was accurate, true and complete, reflecting the importance of this information to CPA Ontario. The Applicant signed this attestation, including a declaration that he understood that any false or misleading statement contained in his application might be used by CPA Ontario in any proceedings related to his application. He promised that he would advise CPA Ontario of any changes to the information provided in a timely way, which showed that this was a continuing issue of importance to CPA Ontario. Finally, the Student Application clearly sets out the consequences of providing false or misleading information.
- [120] The Applicant, who was described as a detail-oriented and careful person, must be assumed to have read the Student Application before agreeing to this important declaration to CPA Ontario.
- [121] Although the Student Application itself provided clear warnings about the importance of complete and full disclosure and the consequences of non-disclosure, the Applicant testified that he was well aware of the issue of his criminal record on the Student Application long before July 13, 2020. He testified that he knew that he wanted to become an accountant in high school and acquiring his CPA designation became a central goal in his life after he completed his criminal sentence. The Applicant knew that his criminal record would be an impediment to obtaining his CPA designation.

- [122] As a result of his desire to obtain his CPA designation, the Applicant closely followed the legislative changes and case law respecting how long it would take after a conviction for a pardon to be granted. Again, this diligence is consistent with the evidence from the Applicant's character witnesses that he was thorough and diligent in everything he did. The Applicant chose not to submit his application to CPA Ontario at an earlier time because then he would have to disclose his criminal convictions. If he submitted his application before he received the pardon (and was honest), he would have had to disclose his convictions.
- [123] The Applicant retained Company D to obtain a pardon for him as soon as the courts determined that he was grand parented and could obtain a pardon within five years of his convictions. He testified that he diligently followed up with the owner of Company D for any updates about the status of his pardon. Once again, this diligence was in keeping with his character.
- [124] Also, the Applicant testified that he was very unhappy with the performance of Company D, which had promised that he would receive a pardon much earlier. He had lost faith in Company D's competence and their ability to deliver his pardon. This leads to the question: why would he accept the word of some unknown person on the phone that he received a pardon without getting written confirmation? This would have been incongruous with the character for the Applicant to trust the word of an unknown person at Company D when he was concerned about their reliability and performance to date.
- [125] If the Applicant had received information over the phone from someone other than R, the person that he usually dealt with at Company D, it is more in keeping with his character that he would have demanded to see a copy of the pardon or at the very least written confirmation from Company D that they had received the pardon. The Applicant did not send an email to Company D confirming his receipt of this information. He did not even obtain the name of the person who allegedly gave him this consequential information over the phone.
- [126] In conclusion, the Panel found that it was highly unlikely that the Applicant would have accepted the word of an unknown person over the phone that he had a pardon, particularly given his history and dissatisfaction with Company D.

[127] Other evidence supported the conclusion that the Applicant did not believe that he had a pardon when he submitted his Student Application, including the following:

- a. The Applicant's witness, Witness C, who testified under oath that the Applicant told him that he had been advised not to disclose his convictions and that this was not an innocent mistake (para. [87] above).
- b. The Applicant's response to Standards Enforcement that did not contain any reference to the Applicant being told that he had a pardon and spoke only to the assumption that he had a pardon, rather than Company D's confirmation that he had a pardon; and
- c. The multiple, subsequent opportunities that the Applicant had to tell CPA Ontario that he had provided false information in his Student Application when submitting his Annual Student Dues or when he received information about the status of his pardon.

[128] With respect to the evidence of Witness C, he was the Applicant's witness, and the Panel found that he was reliable and forthright in recounting what the Applicant told him about his decision to submit false information to CPA Ontario in his Student Application. Witness C was currently working with the Applicant and was the only character witness who was not the Applicant's friend. Witness C's evidence about his understanding of the Applicant's decision about the Student Application was given somewhat reluctantly and he was candid that while he understood why the Applicant had lied to CPA Ontario, he did not think it was a smart decision. Witness C was not challenged by the Applicant's counsel about this evidence, nor did the Applicant's counsel subsequently provide an explanation.

[129] The Panel considered the circumstances around the Applicant's letter to Standards Enforcement, when he knew that CPA Ontario was investigating a very serious allegation of misrepresentation and his dream of being a CPA was in jeopardy. The Panel found that it was improbable that if the Applicant had in fact been advised by Company D in April or May that he had a pardon, he would not have stated this clearly in his letter. In fact, given his diligent nature, if this had in fact occurred, one would expect that the Applicant would have reached out to Company D for corroboration. Instead, the Applicant made vague statements about his expectation and the assumption that he would receive his pardon by the time of his application (not that he had received the pardon).

[130] With respect to the Applicant's failure to correct the misrepresentation in his Student Application, the Applicant asked the Panel to find that on these many occasions, it slipped his mind that he had provided false information to CPA Ontario. To be clear, the Applicant failed to correct this information on the following occasions, prior to CPA Ontario discovering his misrepresentation in early 2022:

- a. when he submitted his Annual Student Dues on July 13, 2020 (on the same day he submitted the Student Application);
- b. when he learned that he did not have a pardon in November 2020;
- c. when he submitted his Annual Student Dues on February 21, 2021;
- d. when he received his pardon on April 7, 2021; and
- e. when he submitted his Annual Student Dues on February 9, 2022.

[131] The Panel found that given the importance of the issue of his convictions to the Applicant and his typical diligence in all other things, it was highly unlikely that it slipped his mind on all of these occasions that he had failed to advise CPA Ontario that he had misinformed them about his convictions. For example, when he learned that his pardon application was still being processed by the Parole Board in November 2020, only a few months after he submitted his Student Application, it is difficult to believe that he would not have considered correcting his information. The Panel found that it was more likely than not that the Applicant knew that he had made a misrepresentation to CPA Ontario in his Student Application and made the poor decision not to alert CPA Ontario to his earlier dishonesty, in hopes that he would not be found out.

[132] The Panel found that even if the Applicant believed he had a pardon when he submitted his Student Application (which the Panel did not accept), the Applicant's failure to correct the error after November 2021 demonstrated a lack of candour on the part of the Applicant. In his Student Application, he declared that he would advise CPA Ontario of any changes to the information in the application. The Panel found that the Applicant chose to break this promise to CPA Ontario.

[133] The Applicant argued that he was not hiding his convictions because CPA Ontario could have found out about his criminal record by searching his name on the internet. While the

Panel accepted that it was possible to conduct such a search, this does not excuse the Applicant's misrepresentation or his failure to correct the false information when given many opportunities and reminders. The Applicant had an obligation to be honest and candid in his representations to CPA Ontario. CPA Ontario cannot regulate its students and members if it cannot rely on the information provided by them, particularly when they sign a declaration attesting to the truth and accuracy of the information.

- [134] Based on the totality of the evidence, the Panel concluded that the Applicant was not credible; he was neither honest or candid in the student application process to CPA Ontario, or in his evidence at the hearing.

Nature and Duration of Misconduct

- [135] The Applicant acknowledged that his original acts of misconduct (commission of several fraudulent offenses in 2008 and perjury in 2011) were extremely concerning and reflected negatively on his character at the time of their commission. Counsel for the Registrar, comparing the facts in this case to other CPA Ontario good character hearings, submitted that the Applicant's misconduct was to date one of the most serious instances of troubling historic behaviour directly relevant to the good character required for membership to CPA Ontario.
- [136] The original fraudulent offences that the Applicant engaged in were financial crimes that demonstrated his lack of honesty, integrity and empathy for his victims. In engaging in the fraudulent offences, the Applicant made a series of choices: this was not a momentary lapse of judgment. The Applicant decided that he would associate with people he knew were engaged in criminal activities. He decided that he would like to make money quickly through illegal means rather than earn it honestly. The Applicant selected a friend who was working in a store and corrupted her, convincing her to abuse the trust of her employer and commit fraud against innocent customers. After the Applicant successfully committed fraud on the first occasion in September 2008, he arranged for a second round of credit card theft in December 2008. The Applicant did not stop his criminal activities voluntarily but rather was arrested on February 24, 2009 and charged with 15 counts of fraud over \$5,000, participation in a criminal organization, and possession of property obtained by crime and possession of proceeds of crime.

- [137] The nature of the original fraud was to steal confidential and private banking information from innocent store customers and to use that information to misappropriate their monies. There was no evidence that these victims or their lending institutions were compensated for their losses. The Applicant did not provide any compensation to the victims but did forfeit the money he was hiding in his safety deposit box (and there is no evidence that this money went to the Applicant's victims).
- [138] Although the Applicant testified that after his arrest, he committed himself to living the right way and making good choices, only a few months later, the Applicant breached one of his bail conditions. This could be characterized as a careless mistake, but it also demonstrated a disrespect for the conditions that allowed the Applicant to leave custody and live in the community. The Applicant testified that he did not bother to inform himself of his bail conditions, but this was not an excuse in the circumstances. The result of the Applicant's lack of care respecting the requirements of his bail was significant - he lost his privilege to live in the community pending his trial and he was returned to jail.
- [139] However, the Applicant's criminal activity did not end in 2009. In 2011, the Applicant lied under oath before the Court. The context for the Applicant's perjury was important: he had benefitted from a favourable plea bargain that gave him a more lenient sentence in return for his agreement to testify against the ringleader of the fraudulent conspiracy. The Applicant broke his promise to the Crown when he resiled from the agreed statement of fact. The result of the Applicant's false evidence under oath was that his Co-accused's conviction was overturned and justice was not served.
- [140] Counsel for the Applicant asked the Panel to take into consideration the Applicant's evidence that he felt threatened and gave false evidence to protect himself and his family. He suggested that if the Applicant perjured himself under duress, the severity of the misconduct should be reduced. The Registrar's counsel characterized the evidence of duress as speculative and suggested that if these threats had in fact occurred, they would have been raised by the Applicant as mitigation at the time of his conviction for perjury.
- [141] The Panel found that regardless of the existence or non-existence of threats, the Applicant made the ethical choice to lie under oath, which undermined the administration of justice. The Applicant acknowledged in his testimony that there were other options available, such as reporting the threats to the Crown or the police. Instead, the Applicant made another

bad ethical choice and decided to lie under oath and protect the person who had masterminded a sophisticated fraudulent conspiracy.

[142] Finally, the Panel considered the Applicant's submission of false information to CPA Ontario in his Student Application in 2020. The nature of this misconduct is discussed above under "Credibility." Although the decision to misinform CPA Ontario was made when he applied to CPA Ontario, the Applicant had many opportunities to report his false information to CPA Ontario from April 2020 to February 2022 when CPA Ontario became aware of his convictions. In failing to report the misinformation in his application in November 2020, the Applicant showed a concerning lack of candour – a hallmark of a person of good character. The duration of this misconduct was for one and a half years.

[143] In [Blackburn v LSUC](#), the hearing panel noted that the deeper the hole that the applicant has dug for himself, the more difficult it is to climb out of it (at para [52]). Using this analogy here, the Applicant bore an extremely heavy burden to establish that he was a person of good character as of the date of the hearing given his multiple decisions that demonstrated what Justice Southin described as a lack of appreciation of the difference between right and wrong, the moral fiber to do the right thing, and a failure to appreciate that no matter how uncomfortable it may be to do the right thing, or the consequences to himself, he must do the right thing and the law must be followed.

[144] The Panel found that in addition to the severity of the Applicant's misconduct, there was a pattern that demonstrated dishonesty and poor judgment when the Applicant was under pressure or faced with challenges.

Whether Applicant was Remorseful

[145] During his evidence, the Applicant said on several occasions that he was very remorseful for his misconduct. As discussed above, many of the Applicant's character witnesses advised that the Applicant expressed remorse to them, and they believed him.

[146] In the jurisprudence of CPA Ontario and other regulators, such as the Law Society of Ontario, genuine remorse has been described as being more than the bald statement of remorse or deep regret; it requires an appreciation by the applicant of the underlying reasons for the misconduct, insight into why their actions were harmful and wrong, and

understanding the impact of their actions on others. Empathy is a characteristic of good character (see [Blackburn v LSUC](#) at para 50).

[147] While heart-felt statements of remorse are important and should not be taken lightly, panels recognize that these statements are expected in the context of a good character hearing. Panels often look beyond the words of the applicant and consider their actions such as apologies to victims or those impacted by the misconduct, reimbursement of the victims, or efforts that are directly connected with the wrongdoing to show real appreciation and atonement for the misconduct.

[148] Also, appreciation of the personal weaknesses that resulted in the applicant's poor decision-making often requires therapy or counselling. It is not uncommon in good character hearings that an expert mental health professional will testify about the applicant's important journey that results in true remorse. In [T. \(S.A.\) v LSUC](#), the panel summarized that the real test for remorse is the person's willingness to face their past behaviour and personal demons and take appropriate remedial action.

[149] In terms of the Applicant's appreciation of the root causes of his misconduct, the Applicant explained that he engaged in fraud because of greed. As for the other poor choices that he made that resulted in misconduct, the Applicant explained that he was under pressure and made bad choices. After each time that his misconduct was caught, the Applicant said that he learned from his bad choices. Yet the Applicant continued to exercise poor judgment, suggesting that he had not in fact grappled with the root causes of his misconduct.

[150] The Applicant did not engage in any therapy other than a mandatory reflection and anger management program that he took in order to leave jail. Although he testified that he had financial constraints, there was no evidence that he had looked into counselling but couldn't afford it. The Applicant also indicated that he was aware of the availability of government funded counselling programs but testified that he did not need counselling because he was happy now.

[151] While the Applicant was very involved in his community and volunteerism, which was admirable, none of these activities related directly to his criminal convictions for fraud or perjury.

[152] While the Applicant acknowledged the impact of his fraud offences on himself, his family and the victims, when asked by his counsel about his remorse, he did not express any remorse for the friend who he had coopted into the criminal conspiracy.

[153] Overall, while the Panel found that the Applicant deeply regretted his misconduct in 2008 (involvement with fraudulent scheme), 2009 (breach of reconnaissance) and 2011 (perjury), as well as his failure to report his misrepresentation to CPA Ontario after he learned that he did not have a pardon (2020, 2021 and 2022), his insight into these poor decisions and appreciation of the impact of these poor decisions on others was still incomplete.

Rehabilitation Efforts and the Success of Such Efforts

[154] In [G.B v CPAO](#), the ARC found:

The rehabilitative efforts made by an applicant can demonstrate how an applicant's character has evolved between the past misconduct and the current hearing.... Relevant rehabilitative efforts could include the introduction of stabilizing measures in the applicant's life, for example, the adoption of a mentor, counselling or an emphasis on self-awareness. Conversely, the existence of subsequent misconduct or evidence that the same issues persisted would indicate a regression, or lack of evolution in the applicant's character. (at para [22], emphasis added).

[155] The Panel noted that since the events of 2008, 2009 and 2011, the Applicant has achieved a great deal of personal and professional success. He has married and has children, he has supportive friends and family, and he is an active and contributing member of his community. The Applicant has also completed his university degree, obtained the academic and experiential requirements for membership in CPA Ontario and acquired stable employment. All of these achievements are commendable and no doubt the result of industriousness and diligence.

[156] However, the last sentence in the above-noted citation from *GB* (that the existence of subsequent misconduct or evidence of the same issues may cast doubt on an applicant's rehabilitation) is important. Given the Panel's finding that it was more likely than not that the Applicant intentionally provided false information to CPA Ontario in the Student

Application process and then chose to remain silent about his misrepresentation despite undertaking to correct any information in the Student Application, the Panel found that the Applicant had not established on a balance of probabilities that he was fully rehabilitated.

Applicant's Conduct Since the Misconduct

[157] There was no evidence that the Applicant had engaged in any criminal behaviour after his conviction for perjury in 2012. The Panel found that it was important that the Applicant had been pardoned by the Parole Board respecting his fraud and perjury convictions.

The Passage of Time Since the Misconduct

[158] The original events leading to the Applicant's convictions took place in 2008 and 2011, approximately 14 years before this hearing. If there had been no further evidence of misconduct, and the Applicant had demonstrated genuine remorse and established that he was fully rehabilitated, the Panel would have considered that the passage of time was sufficient to assure the public that he was currently of good character.

[159] As discussed above, the Applicant's misrepresentation to CPA Ontario in his Student Application and his failure to report this before CPA Ontario learned of his convictions in February 2022 means that his misconduct was three and a half years ago.

[160] In all the circumstances, the Panel found that an insufficient amount of time had passed during which the Applicant could establish that he was a person of good character at the time of the hearing.

Conclusion

[161] The Panel unanimously found that on a balance of probabilities, the Applicant had failed to establish that he was of good character as of the date of the hearing. Pursuant to section 20 of Regulation 7-1, the Panel made an order refusing the Applicant's membership in CPA Ontario.

DATED this 2nd day of September, 2025



John Love, CPA, CMA
Admission and Registration Committee – Deputy Chair

Members of the Panel

John Wilkinson, Public Representative

Catherine Wong, CPA, CA

Independent Legal Counsel

Susan Heakes, Barrister & Solicitor