

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

ADMISSION AND REGISTRATION COMMITTEE

IN THE MATTER OF: J [REDACTED] K [REDACTED], an Applicant applying to be admitted as a member under Regulation 7-1: Admission to Membership, Obligations and Standing, Section 14: Good Character on Admission, as amended

TO: J [REDACTED] K [REDACTED]

AND TO: The Admission and Registration Committee

NOTICE OF REFERRAL FOR A HEARING

Pursuant to section 14 of Regulation 7-1, 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 for membership with CPA Ontario on September 13, 2024. Having reviewed the application for membership, I am not satisfied that the Applicant has provided evidence of good character as required under Regulation 7-1: Admission to Membership, Obligations and Standing, Section 14: Good Character on Admission.
2. In their application for membership to CPA Ontario, 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. The Applicant disclosed that on September 23, 2014, they were convicted of impaired driving causing death under section 255(3) of the *Criminal Code* (as it then was).
4. The offence occurred in Winnipeg, Manitoba, and the particulars are as follows:
 - a. On December 2, 2011, the Applicant worked until approximately 10:00 p.m.
 - b. After work, the Applicant picked up three friends in [REDACTED] Hyundai Elantra and drove them to the P [REDACTED] C [REDACTED] restaurant on Regent Avenue to celebrate a birthday.
 - c. The Applicant was the owner of the vehicle and was the only one operating the vehicle that evening.
 - d. The group remained at the P [REDACTED] C [REDACTED] for approximately four hours, during which time they consumed beer and other liquor.

- e. The group then left the P■■■ C■■■ restaurant and the Applicant drove the group to the O■■■ V■■■ Inn where they purchased beer.
 - f. From the O■■■ V■■■ Inn, the Applicant drove the group to the F■■■ where they consumed more beer.
 - g. From the F■■■, the Applicant drove the group to a M■■■■ restaurant located on Nairn Avenue where the group purchased food.
 - h. From M■■■■, the Applicant continued to drive the group around the city of Winnipeg. The Applicant was consuming alcohol in the vehicle while driving.
 - i. At approximately 5:00 a.m. on December 11, 2011, the Applicant lost control of their vehicle on Pembina Highway and struck a tree on the median.
 - j. As a result of the collision:
 - i. The vehicle became virtually wrapped around the tree.
 - ii. The right backseat passenger was ejected from the vehicle and died as a result of massive head injuries.
 - iii. The left backseat passenger was ejected from the vehicle and suffered a broken pelvis.
 - iv. There was no indication of injury to the Applicant or the front seat passenger.
 - k. At the time of the collision, the Applicant's blood alcohol content was more than twice the legal limit. A breathalyzer administered at approximately 6:00 a.m. on December 3, 2011 showed a blood alcohol concentration of 168 milligrams of alcohol in 100 millilitres of blood.
 - l. At the time of the collision, the Applicant was a novice driver and was required to have a zero blood alcohol level in order to operate a vehicle.
 - m. At the time of the collision, the Applicant was estimated by a witness to be driving 120 km per hour in a 60 km per hour zone.
5. On September 23, 2014, the Applicant pleaded guilty to one count of impaired driving causing death.
 6. On September 23, 2014, the Applicant was sentenced to a period of incarceration of 42 months and a driving prohibition of 7 years.
 7. The Applicant was admitted as a member of the Chartered Professional Accountants of Manitoba on January 31, 2023.

8. I have determined that the Applicant otherwise meets all the criteria for admission to membership.

February 13, 2025

Date



Heidi Franken, CPA, CA
Vice-President, Registrar