

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 **K.N.**, 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:

K.N.

-and-

**Chartered Professional Accountants of Ontario
Registrar**

APPEARANCES:

For K.N.: Present
Joshua Freedman, Counsel

For the Registrar: Present
Benjamin Kates, Counsel

Heard: December 2, 2025

Decision and Order effective: December 3, 2025

Release of written reasons: January 30, 2026

REASONS FOR THE DECISION AND ORDER MADE DECEMBER 3, 2025

I. INTRODUCTION

- [1] This hearing was held in person to determine whether KN (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 Accounts of Ontario (“CPA Ontario”).
- [2] The Registrar referred the Applicant’s application for membership in CPA Ontario to the Admission and Registration Committee (the “ARC”) after CPA Ontario became aware that the Applicant had been convicted of the criminal offence of failure or refusal to comply with a breathalyzer demand.
- [3] For the reasons set out below, the Panel finds that the Applicant provided satisfactory

evidence that he was a person of good character at the time of the hearing. Having been advised that the Applicant met all other requirements for membership, the Panel ordered that the Registrar admit the Applicant as a member of CPA Ontario.

II. BACKGROUND AND FACTS

The Applicant's Background

- [4] The Applicant was 42 years old at the time of the hearing and self-employed as a mortgage agent and bookkeeper. He graduated from university in 2009 with an undergraduate degree in accounting and worked in the financial sector following graduation. The Applicant also engaged in volunteer work, namely as a coach for a travelling basketball team. He also did some volunteer work with an organization that provides a framework for employers to support and improve the representation of Black actuaries in the profession.
- [5] The Applicant has two children with his common law partner.

The Applicant's criminal charge, conviction and sentence

- [6] The Applicant was registered as a student of CPA Ontario on March 4, 2019.
- [7] On December 29, 2019, at approximately 2:32 a.m., a constable with the Whitby Ontario Provincial Police ("OPP") conducted a traffic stop of a vehicle driving more than the posted speed limit. The constable identified the Applicant as the driver, and made several observations of the Applicant including that:
- a) He appeared to be lethargic;
 - b) He had bloodshot and watery eyes;
 - c) There was a distinct and obvious odour of alcoholic beverage on his breath as he spoke; and
 - d) When questioned if he had consumed alcohol, he responded that he consumed alcohol "yesterday". As it was approximately 2:46 am at the time, "yesterday" was only a few hours prior.
- [8] The constable requested that the Applicant accompany him to the police cruiser for the purpose of a roadside screening device test using an Approved Screening Device ("ASD"). The Applicant was given seven different opportunities to blow on the ASD to provide a sample. Despite additional explanations and demonstrations by the constable, none of the samples that were obtained were suitable.
- [9] After the seventh failed attempt, the constable arrested the Applicant for failure to comply with a demand. Prior to this, the Applicant was cautioned twice about being charged with failure to comply.
- [10] On October 12, 2021, the Applicant pled guilty to one count of failure or refusal to comply with a demand and sentenced to:

- a) a 12-month driving prohibition; and
- b) payment of a \$2,500 fine with a \$750 victim surcharge to be paid within 12 months.

The Applicant's failure to disclose his criminal conviction to CPA Ontario

- [11] The Applicant did not report his criminal conviction to CPA Ontario upon being convicted on October 12, 2021.
- [12] On September 18, 2023, the Applicant applied for membership with CPA Ontario. In response 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?" the Applicant answered "no".

CPA Ontario's discovery of the Applicant's conviction

- [13] In February 2024, while processing the Applicant's membership application, CPA Ontario became aware of a news article dated January 11, 2020 which identified an individual with the Applicant's name as having been charged with "failure/refusal to comply with demand, Race vehicle-excessive speed".
- [14] On February 21, 2024, following inquiries by CPA Ontario, the Applicant confirmed he was the individual referenced in the article.

Applicant's evidence at the hearing

- [15] The Applicant testified at the hearing about the events that led to his criminal conviction. The Applicant was stopped by police in the early hours of December 29, 2019 while he was driving home after dinner with friends. He explained that he had consumed at least two drinks that night. The Applicant admitted that he deliberately refused to provide a breath sample to police because he knew he had been drinking alcohol. The Applicant was charged and released at the scene with a summons to attend court.
- [16] The Applicant pled guilty to one count of failure or refusal to comply with a demand. He testified that, as part of the guilty plea, and in order to obtain his license again, he completed a 16-hour course through the Centre for Addictions and Mental Health ("CAMH"). The Applicant explained that during this course he learned about the different levels and signs of impairment and the consequences of driving while drunk, the biggest one being the loss of life. He further explained that following the course, his relationship with alcohol changed. He told the Panel that he now drinks alcohol minimally and when he does plan to drink, he takes an Uber or a taxi.
- [17] The Applicant also admitted in his evidence that he was not forthcoming with CPA Ontario about his criminal conviction. He testified that at the time he was charged, he thought about reporting the matter to CPA Ontario but did not do so. He explained that he was embarrassed and was "too much of a coward".
- [18] The Applicant was asked about his 2023 Application for Membership to CPA Ontario and why he 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". The Applicant explained that he answered "no" because he was embarrassed and thought that if he answered "yes" it could have an adverse impact on his application for membership.

- [19] On February 20, 2024, a student registration specialist from CPA Ontario emailed the Applicant to ask him about the news article. The Applicant testified that he was emotional upon receiving the email. He was upset at himself for not being forthcoming and for having CPA Ontario find out in this way. He was also worried that he may not be admitted into membership after all the work he had put in.
- [20] The Applicant responded to CPA Ontario's email the following day on February 21, 2024. In that email, the Applicant stated that he was pulled over for speeding and that the officer requested a breath sample which he refused "as there was no reason for this request", and that "no arrest took place" and he was free to leave. The Applicant also stated in the email that he believed "the entire incident was racially motivated" as he was not speeding and did not provide any "indication of intoxication" and that the officer was "overly aggressive for no apparent reason". He also stated that he did not note this in his application as it "did not result in any criminal proceeding".
- [21] The Applicant admitted at the hearing that his February 21, 2024 email to CPA Ontario was not truthful. He agreed that contrary to what he asserted in his email, the officer did have a reason for requesting a breath sample because he had been drinking alcohol, that he does not know whether race was a factor, that the officer was not overly aggressive, and that the matter did in fact result in a criminal proceeding. The Applicant explained that he answered as he did because he wanted to put the incident behind him and be admitted into membership.
- [22] The Applicant was also asked about a reflective piece he wrote for CPA Ontario dated November 22, 2024. In it the Applicant wrote that he did not report the conviction to CPA Ontario because he "was not arrested during the incident and no fingerprints or photos were taken of me at any point leading up to my guilty plea". The Applicant explained that this was his attempt to rationalize why he was not forthcoming with CPA Ontario and that in hindsight he would not have included this part in the reflective piece and instead would have apologized for not reporting the conviction.
- [23] The Applicant also testified about the steps he has taken to gain more insight into his behaviour. The Applicant took nine courses through CPA Ontario, which included "Behavioural Ethics: Decision-Making Biases and Heuristics" and "Managing your Ethical Responsibilities". The Applicant also voluntarily completed several sessions with GS, an expert in ethics who helps professionals navigate ethical issues in their respective professions. The Applicant completed three sessions with GS, each lasting one and a half hours. In addition to the sessions, the Applicant was required to complete homework including reading material and writing reflective pieces about the concepts discussed in the sessions.
- [24] The Applicant explained that the sessions with GS felt "lengthy" and "intense". One of the key things he learned about was the concept of "willful blindness" which he described as his avoidance of having to deal with the truth. He testified that when he looks back at why he did not report the charge or the conviction or why he was not truthful on the application, it was

because he was trying to move past what happened by pretending it never took place. He explained that he recognizes how this behaviour has appeared in other aspects of his life. For example, when he used to have arguments with his partner, he would walk away hoping things would get better on their own. Through his work with GS, the Applicant testified that he now understands the importance of addressing things up front and on a timely basis. In his words, when the “engine light comes on, don’t wait until it gets bad, address it right away”.

- [25] In addition to his misconduct, the Applicant also discussed with GS the ethics and responsibilities of accounting professionals more broadly. Topics included the five guiding principles of CPA Ontario, the role of CPA Ontario and the mandate to protect the public and regulate its members, and the importance of honesty. The Applicant testified about the insight he gained through these discussions, including how his actions detrimentally impacted the accounting profession as a whole.

Character evidence

- [26] As part of the hearing, the Applicant filed four letters attesting to his character. One of the references, DH, also testified at the hearing. DH was neither an accountant nor a CPA but does hold an American actuarial designation and is a Chartered Financial Analyst. DH is the president of the Black actuaries’ organization and confirmed that the Applicant did volunteer work with them.
- [27] DH has known the Applicant for more than 35 years. The pair went to the same elementary and high school and stayed friends even after DH moved to a different country. DH described the Applicant as an “upstanding individual” who is “trustworthy.” He testified that he was shocked and disappointed upon learning that the Applicant had failed to provide a breath sample to police. He explained that it was not something he would expect from the Applicant and that it was out of character. While he had seen the Applicant drink alcohol, it was never an “alarming” amount of alcohol, and he had never seen the Applicant drive home after drinking.

III. PRELIMINARY ISSUES

- [28] Neither party raised any preliminary issues at the hearing.

IV. ISSUE

- [29] The issue in this application was whether the evidence provided by the Applicant demonstrated, on a balance of probabilities, that he was of good character at the time of the hearing and could be admitted as a member of CPA Ontario.

V. DECISION

- [30] The Panel found that the Applicant established, on a balance of probabilities, that he was of good character at the time of the hearing and ordered that he be admitted as a member of CPA Ontario.

VI. REASONS FOR DECISION

Definition of Good Character

- [31] All individuals applying for membership with CPA Ontario must meet the requirement that they are of good character (Section 3.4 of Regulation 7-1). If an applicant fails to provide satisfactory evidence of good character, the Registrar shall refer the matter to an oral hearing before the ARC (Section 14 of Regulation 7-1).
- [32] At a good character hearing, the onus is on the applicant to prove, on a balance of probabilities, that they are of good character. A balance of probabilities means that it is “more likely than not” that the applicant is of good character.
- [33] Good character has been defined by previous panels of CPA Ontario in the following manner:
- Character is 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 would include, among others, integrity, candour, empathy and honesty.¹
- [34] The Hearing Panel in *E.T.* cited Madam Justice Southin of the British Columbia Court of Appeal who further defined good character, in part, as follows:
- 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.²
- [35] The purpose of the good character requirement is threefold:³
- i. to protect members of the public who retain accounting professionals;
 - ii. to ensure that the accounting profession maintains a reputation for high professional and ethical standards; and
 - iii. to demonstrate that CPA Ontario is able to effectively regulate Chartered Professional Accountants.
- [36] As is set out above, public protection is the paramount goal of a self-regulating profession. The possibility of self-transformation and the potential for redemption through rehabilitation are recognized by CPA Ontario as values that enhance rather than endanger public protection. In that vein, the onus is on an applicant to demonstrate they are of good character at the time of the hearing, notwithstanding the severity of their past conduct.

¹ *G. B. v Chartered Professional Accountants of Ontario*, 2019 ONCPA 20 at para. 17

² *E. T. v Chartered Professional Accountants of Ontario*, 2021 ONCPA 15 at para. 32

³ *K. H. v. Chartered Professional Accountants of Ontario*, 2022 ONCPA 15 at para. 96

[37] While the onus is on the Applicant to prove his good character on a balance of probabilities, he is not required to demonstrate that his admission as a member presents no risk that he will abuse the public trust in the future. The test does not require perfection or certainty.⁴

Factors Determining Good Character

[38] In reviewing the evidence about an applicant's character, the Panel must consider the following factors:

- a) The nature and duration of the applicant's misconduct;
- b) Whether the applicant is remorseful;
- c) What rehabilitative efforts, if any, the applicant has taken and the success of such efforts;
- d) The applicant's conduct since the misconduct; and
- e) The passage of time since the misconduct.⁵

Application of Good Character Factors to Evidence

The Nature and Duration of Misconduct

[39] The Applicant's misconduct is two-fold. The first part is the criminal conviction in October 2021 for failure or refusal to comply with a demand. The conviction arose out of a single incident that took place in December 2019, which the Applicant admitted at the hearing that he intentionally refused to comply with a police officer's demand because he knew he had been driving after drinking alcohol. The Panel concluded that this misconduct was serious as it involved a deliberate refusal to comply with a request from a person in authority tasked with protecting public safety.

[40] The second part of the misconduct relates to the Applicant's lack of candour with CPA Ontario. On his 2023 application for membership, the Applicant falsely answered "no" in response to the question asking whether he had been found guilty of a criminal offence for which he had not received a pardon. When confronted by CPA Ontario in February 2024, the Applicant was still dishonest, claiming that the officer had no reason to request his breath sample, that he was the victim of racial profiling, and that he did not report the matter to CPA Ontario because it did not result in a criminal proceeding. The Applicant's November 2024 reflective piece was overall a more truthful account of the incident; however, it still asserted that he did not report the conviction to CPA Ontario because he "was not arrested during the incident" and "no fingerprints or photos were taken" leading up to the guilty plea.

⁴ *A. A. v Chartered Professional Accountants of Ontario*, 2023 ONCPA 11 at para. 64

⁵ *G. B. v Chartered Professional Accountants of Ontario*, 2019 ONCPA 20 at para. 19

[41] While the Panel accepts that the incident leading to the criminal offence arose out of a single event, the misconduct in relation to the false representations to CPA Ontario endured . In the Panel's view, this was serious misconduct. Being dishonest with CPA Ontario threatens its ability to self-regulate and harms the public's trust in the accounting profession.

[42] That said, the Panel accepts the Applicant's evidence at the hearing that he was not forthcoming with CPA Ontario in the 2023 application form and the 2024 email and reflective piece because he was being "willfully blind". His dishonest responses to CPA Ontario stemmed not from a place of malice, but from a lack of self-awareness. Instead of addressing the issue head on, he was trying to rationalize his behaviour by pretending that the incident did not happen. The Panel was impressed not only with the Applicant's ability to explain the concept of willful blindness, but how it tied back to his past behaviour, how he was changing his approach to his personal life in the present day and the lessons he had learned for the future.

Remorse

[43] The Panel accepts that the Applicant is genuinely remorseful for what happened, both with respect to his behaviour leading to the criminal conviction and his lack of candour with CPA Ontario. The Applicant readily admitted to his mistakes and expressed true regret for his actions. His evidence was not performative. Rather, the Applicant displayed raw emotion and provided detailed, personal, and thoughtful answers to questions and remained consistent even in cross-examination.

Rehabilitative Efforts

[44] The Applicant took several rehabilitative steps after being criminally charged. First, he took the substance abuse course through CAMH. The Panel felt that the Applicant gained great insight through this course about the various ways one can be impaired and the severe consequences of drinking and driving. While he had the option to begin driving after six months, he voluntarily chose to wait longer before driving again.

[45] The Applicant also tackled his ethical failings head on. He took a variety of ethics focused courses through CPA Ontario and reviewed the handbook. The Panel took note of the breadth and quality of the courses and was pleased by the Applicant's ability to meaningfully articulate the concepts and insights he gained from them during his testimony. The Applicant also began going to church again and engaging in weekly consultations with his priest.

[46] Finally, and most importantly, the Panel was impressed by the work that the Applicant did with GS. The Applicant's reflections on his sessions with GS were deep and insightful. It was clear that this work resulted in genuine and lasting insight not only into why he engaged in the behaviour he did, but also into the detrimental impact his behaviour has on the accounting profession.

Applicant's Conduct Since the Misconduct

- [47] The Applicant was charged in December 2019. There have been no further allegations of any criminal behaviour since that time and the Applicant also testified that his approach to alcohol has changed. He has reduced his overall consumption and when he does plan to drink, arranges alternative forms of transportation.
- [48] With respect to candour, since the false answer in the 2023 application for membership, the Applicant's subsequent responses to CPA Ontario were gradually more truthful. Since the November 2024 reflection piece, the Applicant has been completely forthcoming, including in his testimony at the hearing.

Passage of Time

- [49] Although approximately six years have passed since the incident that resulted in the Applicant's criminal conviction, the time since his dishonest conduct towards CPA Ontario has been much shorter. At the time of the hearing, approximately a year had passed since the Applicant's November 2024 reflective piece in which the Applicant was still not completely honest with CPA Ontario. Additionally, less than four months had passed since the Applicant's sessions with GS, which began in August 2025.

Conclusion

- [50] The test for good character does not require "perfection" or "certainty". The Applicant only needs to prove that he is a person of good character at the time of the hearing: "more likely than not". The Panel carefully considered all the evidence and the parties' submissions. While one of the members of the Panel would have liked to see a longer passage of time following the Applicant's dishonest representations to CPA Ontario, the Panel reminded itself that there is no mathematical formula for assessing a person's good character. The Panel simply needs to consider all five factors and no one factor is paramount or determinative.
- [51] At the end of the day, the Panel was moved by the Applicant's testimony. His evidence was deep and thoughtful and displayed genuine remorse. He was able to credibly explain why he was not forthcoming with CPA Ontario and why he would not repeat that mistake in the future. The Panel noted a meaningful change in his attitudes and decision making, as well as significant insight into the concepts of honesty, public protection, and self-regulation. The Panel also recognized that the Applicant had to work hard to rebuild trust and that the rebuilding of trust required sustained and deliberate effort. As a result of the Applicant's evidence, the Panel was satisfied that he had established, on a balance of probabilities, that he is a person of good character.
- [52] These Reasons should not, however, be interpreted as condoning the Applicant's dishonesty with CPA Ontario. Lying to CPA Ontario is serious and requires denunciation. Such behaviour directly harms public trust in the profession and undermines its ability to self-regulate. In finding that the Applicant met his burden, the Panel subjected his evidence to careful scrutiny given the seriousness of his misconduct. Nothing in these Reasons should be viewed as sending a message that lying to CPA Ontario is acceptable. It is not.

[53] Having been advised by the Registrar that the Applicant has otherwise met all of the requirements of admission, and for the reasons set out above, the Panel finds that the Applicant has demonstrated he is of good character as of the date of the hearing. On December 3, 2025, the Panel made an order directing the Registrar to admit the Applicant as a member of CPA Ontario.

DATED this 30th day of January, 2026

A handwritten signature in black ink, appearing to read 'A. Finkel', with a stylized flourish at the end.

Alexandra Finkel, CPA, CA
Admission and Registration Committee – Deputy Chair

Members of the Panel
Hardeep Brar, CPA, CGA
Barbara Ramsay, Public Representative

Independent Legal Counsel
Janani Shanmuganathan, Barrister & Solicitor