

TORONTO LICENSING TRIBUNAL: March 14, 2013**Summary of Decisions****L. Miskin / D. Hall / D. Peacock**

1. **Kerwin Sylvester Haase** (*Report No. 6004*)
o/a Bestdeal
Applicant for a Second Hand Dealer Licence (Application No. B202663).

DECISION:

Kerwin Sylvester Haase's licence will be granted, effective immediately, subject to the following conditions:

- (1) immediately upon being granted, the licence will be placed on probation for a period of 2 years to commence on March 14, 2013;
- (2) prior to each of the next 2 renewals of the licence, Mr. Haase must provide to Municipal Licensing and Standards, at his own expense, an updated abstract of his criminal record;
- (3) during the probationary period, if Mr. Haase incurs any new charges or convictions under the *Toronto Municipal Code* or *Criminal Code*, he must notify Municipal Licensing and Standards, in writing, within three (3) business days; and
- (4) during the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions, those matters and report No. 6004, and any updating material, shall be brought back before the Tribunal for a full hearing.

2. **Norman Felix Inc.** (*Report No. 6005*)
o/a Café Arts
E T-B - Director
Applicant for an Eating Establishment Licence (Application No. B200819).

DECISION:

Norman Felix Inc.'s licence will be granted, effective immediately, subject to the following conditions:

- (1) immediately upon being granted, the licences will be placed on probation for a period of 4 years to commence on the date that this recommendation is approved by the Toronto Licensing Tribunal;
- (2) prior to each of the next 4 renewals of the licences, Norman Felix Inc. must provide to Municipal Licensing and Standards, at their own expense, an updated abstract of Norman Felix Inc.'s and E T-B's criminal records;
- (3) during the probationary period, if Norman Felix Inc. or E T-B incur any new charges or convictions under the *Toronto Municipal Code*, *Criminal Code*, *Controlled Drugs & Substances Act* or any offences under the *Liquor Licence Act* they must notify Municipal Licensing and Standards, in writing, within three (3) business days; and
- (4) during the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions, those matters and report No. 6005, and any updating material, shall be brought back before the Tribunal for a full hearing.

3. Jian Wang (Report No. 5941)
Applicant for Renewal of Driving Instructor's Licence No. V11-3361072.

DECISION:

Jian Wang's licence will be renewed, effective immediately, subject to the following conditions:

- (1) immediately upon being granted, the licence will be placed on probation for a period of 3 years to commence on March 14, 2013;
- (2) prior to each of the next 3 renewals of the licence, Mr. Wang must provide to Municipal Licensing and Standards, at his own expense, an updated abstract of his driving and criminal records;
- (3) during the probationary period, if Mr. Wang incurs any new charges or convictions under the *Toronto Municipal Code*, *Criminal Code* or *Highway Traffic Act* he must notify Municipal Licensing and Standards, in writing, within three (3) business days; and
- (4) during the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions, those matters and report No. 5941, and any updating material, shall be brought back before the Tribunal for a full hearing.

4. Mohamed Abubacar Samatar (Report No. 6002)
Applicant for a Taxicab Driver's (Lapsed) Licence (Application No. B303847).

DECISION:

Mohamed Abubacar Samatar's licence will be issued, effective immediately, subject to the following conditions:

- (1) upon payment of all outstanding fines and renewal fees;
- (2) immediately upon being issued, the licence will be placed on probation for a period of 4 years;
- (3) prior to each of the next 4 renewals of the licence, Mr. Samatar must provide to Municipal Licensing and Standards, at his own expense, an updated abstract of his driving record;
- (4) during the probationary period, if Mr. Samatar incurs any new charges or convictions under the *Toronto Municipal Code* or *Highway Traffic Act*, he must notify Municipal Licensing and Standards, in writing, within three (3) business days; and
- (5) during the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions, those matters and report No. 6002, and any updating material, shall be brought back before the Tribunal for a full hearing.

5. **Hassan Ali Rana** (*Report No. 5918*)
Applicant for Renewal of Taxicab Driver's Licence No. D01-3590485.

DECISION:

Hassan Ali Rana's licence will be renewed, effective immediately, subject to the following conditions:

- (1) provided all outstanding fines have been paid;
- (2) immediately upon being issued, the licence will be placed on probation for a period of 2 years to commence on March 14, 2013;
- (3) prior to each of the next 2 renewals of the licence, Mr. Rana must provide to Municipal Licensing and Standards, at his own expense, an updated abstract of his driving record;
- (4) during the probationary period, if Mr. Rana incurs any new charges or convictions under the *Toronto Municipal Code* or *Highway Traffic Act* he must notify Municipal Licensing and Standards, in writing, within three (3) business days;
- (5) during the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions, those matters and report No.

5918, and any updating material, shall be brought back before the Tribunal for a full hearing.

6. Osaro Osagie (*Report No. 5914*)

Applicant for Renewal of Ambassador Taxicab Owner's Licence No. V02-3131248.

DECISION:

Osaro Osagie's Ambassador taxicab owner's licence will be renewed, effective immediately, subject to the following conditions:

- (1) the licence will be placed on probation for a period of three (3) years to commence on March 14, 2013;
- (2) prior to each of the next three renewals of the licence, Mr. Osagie must provide to Municipal Licensing and Standards, at his own expense, updated abstracts of his criminal record and driving record;
- (3) during the probationary period, if Mr. Osagie incurs any new charges or convictions under the *Highway Traffic Act* or *Criminal Code*, he must notify Municipal Licensing and Standards, in writing, within three (3) business days; and
- (4) during the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions, those matters and report No. 5941, and any updating material, shall be brought back before the Tribunal for a full hearing.

7. Herbal Magic Inc. (*Report No. 5493*)

o/a Herbal Magic

Applicant for Renewal of Retail Store (Food) Licence No. B50-3957084

Applicant for a Retail Store (Food) Licences (Application Nos. B068641 & B068642)

Holder of Retail Store (Food) Licence Nos. B50-4063345, B50-40066438, B50-40066429,

B50-40066432, B50-4066437, B50-4066434, B50-4066436, B50-4066433 and B50-4063347.

DECISION:

Herbal Magic Inc.'s licences will be renewed and granted, effective immediately, subject to the following conditions:

- (1) immediately upon being issued, the licences will be placed on probation for a period of 2 years to commence on March 14, 2013;
- (2) during the probationary period, if Herbal Magic incurs any new charges or convictions under the *Toronto Municipal Code* they must notify Municipal Licensing and Standards, in writing, within three (3) business days; and

- (3) during the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions, those matters and report No. 5493, and any updating material, shall be brought back before the Tribunal for a full hearing.

8. Mohammad Sulema Yaqoobi (*Report No. 6009*)
Applicant for a Taxicab Driver's Licence (Application No. B299440).

DECISION:

Mohammad Sulema Yaqoobi's licence will be issued, effective immediately, subject to the following conditions:

- (1) immediately upon being renewed, the licence will be placed on probation for a period of 3 years to commence on March 14, 2013;
- (2) prior to each of the next 3 renewals of the licence, Mr. Yaqoobi must provide to Municipal Licensing and Standards, at his own expense, an updated abstract of his criminal record;
- (3) during the probationary period, if Mr. Yaqoobi incurs any new charges or convictions under the *Criminal Code*, he must notify Municipal Licensing and Standards, in writing, within three (3) business days; and
- (4) during the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions, those matters and report No. 6009, and any updating material, shall be brought back before the Tribunal for a full hearing.

9. Bikramjit Singh Dhaliwal (*Report No. 5096*)
Applicant for a Tow Truck Driver's Licence (Application No. A845753).

DECISION:

The Tribunal adjourned this matter *sine die*.

10. Philips M. Udofe (*Report No. 5580*)
Holder of Taxicab Driver's Licence No. D01-3253431.

DECISION:

The Tribunal adjourned this matter to June 6, 2013.
