



Court Services

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TORONTO LICENSING TRIBUNAL: July 18, 2019

Summary of Decisions

A. Bakshi / M. Carter-Whitney / V. Francis

1. **Booster Juice Inc. (Report No. 7218)**

o/a Booster Juice

Dale Wishewan, President

Applicant for an Eating Establishment Licence (Application No. B909649)

DECISION:

Report No. 7218 was withdrawn by Municipal Licensing and Standards. Application No. B909649 was cancelled at the request of the applicant. The business has been sold.

2. **Rameen Zafari (Report No. 7091)**

Applicant for the Renewal of Tow Truck Driver's Licence No. D09-4737183

DECISION:

The Tribunal approved the joint submission.

Tow Truck Driver's Licence No. D09-4737183 (the "licence") will be issued to Rameen Zafari (the "licensee"), subject to the following conditions:

- (1) The Licence will be renewed effective today.
- (2) Immediately upon being issued, the Licence will be suspended for an initial suspension period of 20 days, with that initial suspension period terminating at 11:59 p.m. on Monday August 5, 2019.
- (3) The Licence will be suspended for a further 10 days, to be served on an intermittent basis on the following days.
 - I. August 14, 15, 2019
 - II. August 20, 21, 22, 2019
 - III. August 28, 29, 2019
 - IV. September 3, 4, 5, 2019

- (4) The Licensee shall surrender to MLS staff at 850 Coxwell Avenue, the Licence and his Photo I.D. card on the first day of each suspension period. He will be entitled to pick it up as of 8:30 a.m. on Tuesday August 6, 2019. He must also surrender it for each intermittent suspension period. He can surrender it as early as 8:30 a.m. on the first day of each suspension period and must surrender it no later than 11: 00 a.m. on that day. He is entitled to pick it back up on 24 hour or 36 hour mark, whichever is applicable, based on the time of surrender. For greater clarity and for example, He must surrender it no later than 11:00 a.m. on August 14th and will be entitled to pick it up on August 16th any time after the time that he surrendered it on August 14th.
- (5) As of July 8, 2019, the Licensee successfully completed a defensive driving course, with seven (7) hours of instruction, two (2) of which were in-vehicle, offered by Millennium Driving School, a Ministry of Transportation of Ontario-approved school.
- (6) The Licence will be placed on a probation for a period of three (3) years. The Licensee is advised that during the probationary period, MLS may make additional checks of any driving, criminal and by-law charges and convictions against him and conduct other investigations, as appropriate, to assess his compliance with the requirements of Chapter 545 of the Municipal Code and other applicable laws;
- (7) During the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions against the Licensee or any other concerns with respect to the conduct of the licensee, those matters and report No. 7074 [sic] and any updating material, may be brought back before the Tribunal for a full hearing. (Report No. 7091)

3. Estate of Mohammad Ali Kay (Report No. 7251)

Molly Jung, Estate Trustee

Holder of Taxicab Owner's Licence No. V02-4901959, Taxicab Plate No. A1142

DECISION:

The Tribunal approved an extension of Taxicab Owner's Licence No. V02-4901959 for Taxicab Plate No. A1142 to remain in the Estate of Mohammad Ali Kay until August 18, 2020.

(Ms Dayna Murczek, Student-At-Law attended on behalf of Ms Molly Jung)

July 18, 2019

4. Dandx Health Centre Ltd (Report No. 7107)

o/a Bliss Wellness Studio TO

Dewei Cao, Director

Holder of Holistic Centre Owner Licence No. B30-4682548

And

Dandx Health Centre Ltd

o/a Bliss Wellness Studio TO

Dewei Cao, Director

Holder of Holistic Centre Owner Licence No. B30-4423904

And

Dewei Cao

Holder of Holistic Practitioner Licence No. T30-3957197

DECISION:

The Tribunal approved the joint Proposed Resolution, dated June 27, 2019 and executed on June 28, 2019.

Holistic Centre Owner Licences and Holistic Centre Practitioner's Licence will be subject to the following conditions:

- (1) Holistic Centre Owner Licence B30-4423904 will be suspended for a period of twenty (20) days from July 18, 2019 to August 6, 2019 inclusive;
- (2) Holistic Centre Owner Licence B30-4682548 will be suspended for a period of twenty (20) days from August 7, 2019 to August 26, 2019 inclusive;
- (3) Holistic Centre Owner Licences and Holistic Practitioner Licence will be placed on probation for a period of three (3) years. Mr Cao is advised that during the probationary period, MLS may make additional checks of any criminal and by-law charges and convictions against Dandx Health Centre Ltd. and Mr Cao and conduct other investigations, as appropriate, to assess the licensee's compliance with the requirements of Chapter 545 of the Municipal Code and other applicable laws;
- (4) Dandx Health Centre Ltd and Mr Cao will remove all advertisement, including but not limited to Bliss Wellness websites/webpages, that suggest to the public that adult entertainment services are offered at Bliss Wellness locations or that might be interpreted as such, and will cease to publish, in any manner, an advertisement that suggest to the public that services other than holistic services permitted by Chapter 545 are being offered at Bliss Wellness locations;
- (5) During the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions against Dandx health Centre Ltd and/or Mr Cao or any other concerns with respect to the conduct of the licensee, those matters and report No. 7107 and any updating material, may be brought back before the Tribunal for a full hearing.

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5. Akbar Sadat (Report No. 7143)

Applicant for renewal of Vehicle-For-Hire Driver's Licence No. D01-4645643

DECISION:

The Tribunal reinstated Mr. Sadats Licence and issued an order as follows;

- (1) The requirements of Rule 18 of the Tribunal's Rules of Procedure are dispensed with.
- (2) The interim suspension of Vehicle-For-Hire Driver's Licence No. D01-4645643 (the "License") that issued as part of the June Interim Order is hereby lifted.
- (3) The License is reinstated to the licensee, Mr. Akbar Sadat (the "Licensee"), on an interim basis pending a full hearing on the merits of this matter or some future interim order by this Tribunal.
- (4) This interim order is made without prejudice to Municipal licensing and Standards ("MLS") right to seek a revocation of the Licence upon the full hearing on the merits of this matter, Report 7143.
- (5) The Licensee has agreed to the attached undertaking. (see below)
- (6) If the Licensee incurs any new charges or convictions under the Highway Traffic Act, Criminal Code or City of Toronto Municipal Code Chapter 546, he must notify MLS, in writing, within three (3) business days which can be done in the following ways:
 - in person at 850 Coxwell Ave, 3rd Floor, Toronto, ON M4C 5R1;
 - via regular mail to: 850 Coxwell Ave, 3rd Floor, ON M4C 5R1;
 - via email to mlsconditionreporting@toronto.ca; or
 - via fax at 416-392-3102
- (7) The Licensee shall successfully complete the following courses by no later than August 31, 2019:
 - a) The "road rage" program offered by Salvation Army;
 - b) The "anger management" program offered by Salvation Army;
and
 - c) A minimum of seven (7) hours of safe and/or defensive driving instruction through a Ministry-approved driving improvement program, which is to include at least three (3) hours of on-the-road instruction.

July 18, 2019

- (8) The Licensee shall also take immediate steps to see a family doctor, psychologist, and/or psychiatrist regarding his anger management issues.
- (9) The Licensee is required to produce to MLS written confirmation that he has fulfilled the conditions set out in paragraph 7, including certificates from Salvation Army and the Ministry-approved driving program, on or before September 6, 2019.
- (10) At any time prior to the full hearing on the merits of this matter if MLS has new concerns with respect to the Licence and/or conduct of the Licensee, MLS may bring this matter back for a further interim order.

UNDERTAKING

I, Akbar Sadat, Applicant for Vehicle-For-Hire Driver's Licence No. D01-4645643 undertake and agree to the following:

1. I agree to keep the peace and be of good behaviour.
2. I agree to be civil and well-mannered in all of my dealings with members of the public, including my customers, fellow vehicle-for-hire drivers, and all Municipal Licensing and Standards staff and enforcement officers.
3. I agree to observe and comply with the rules of the road and the Highway Traffic Act.
4. I agree to read the entirety of Chapter 546 of the Toronto Municipal Code ("TMS") by July 26, 2019.
5. I agree to observe and comply with my obligations under Chapter 546 of the TMC, including but not limiting the rules around refusing fares.
6. I agree to observe all laws of Canada.

(Originally signed on July 18, 2019)

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