
**TORONTO LICENSING TRIBUNAL ELECTRONIC HEARING:
November 3, 2022 (1:00 PM)
Summary of Decisions
M. Lee**

1. **Leonardo Joseph Pevide Ciulla** (Report No. 7609)
AND
Kings HWY Towing & Recovery Inc. (Report No. 7624)
AND
Jacob Michael Villeneuve Portela (Report No. 7625)

MOTION HEARING

Motion to Proceed in Absence of the Public, Pursuant to section 9 of the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22

DECISION:

Regarding the matter of Leonardo Joseph Pevide Ciulla (Report No. 7609), the Tribunal issued the following:

- (1) The Tribunal approved the request by Municipal Licensing and Standards to defer the hearing of the Motion until January 19, 2023 at 1:00 p.m., on consent.
- (2) The Tribunal further approved the request by Municipal Licensing and Standards regarding the Motion Documents filed with the Tribunal under seal, to remain under seal until January 19, 2023 at 1:00 p.m., where Municipal Licensing and Standards may or may not bring the Motion to have them sealed, on consent.

Regarding the matters of Kings HWY Towing & Recovery Inc. (Report No. 7624) and Jacob Michael Villeneuve Portela (Report No. 7625), the Tribunal approved the following requests by Municipal Licensing and Standards:

- (1) The Motion Documents filed with the Tribunal under seal are to remain under seal;
- (2) These matters are to proceed in Camera;
- (3) If there are any written Reasons for Decision released by the Tribunal, they are not to make any reference to the Motion Documents and are to remain under seal.

2. Leonardo Joseph Pevide Ciulla (Report No. 7609)
Holder of Tow Truck Driver's Licence No. D09-4734540

DECISION:

Municipal Licensing and Standards requested an adjournment of this matter, subject to the following conditions:

- (1) Leonardo Joseph Pevide Ciulla shall notify Municipal Licensing and Standards (MLS) of the disposition of the criminal charge against him outlined in the October 31, 2022 update to Report No. 7609, in writing, within five (5) business days;
- (2) If Leonardo Joseph Pevide Ciulla incurs any new charges or convictions under the *Criminal Code of Canada*, he must notify Municipal Licensing and Standards, in writing, within five (5) business days;
- (3) Leonardo Joseph Pevide Ciulla can notify MLS in one of the following ways:
 - via regular mail to: 850 Coxwell Ave, 3rd Floor, Toronto, Ontario M4C 5R1;
 - via email to mlsconditionreporting@toronto.ca; or
 - via fax at 416-392-3102.

The Tribunal approved the request for adjournment to January 19, 2023 at 1:00 p.m., on consent.

(Mr. Ciulla attend today's hearing)

3. Kings HWY Towing & Recovery Inc. (Report No. 7624)
o/a Kings HWY Towing & Recovery
Michael Jorge Borba Carreiro, President
Holder of Tow Truck Owner's Licence No's. V10-5000697 and V10-5009410, Tow Truck Plate No's. 6133 and 6422
AND
Michael Jorge Borba Carreiro
Holder of Tow Truck Driver's Licence No. D09-4645148

DECISION:

The Tribunal approved the joint Proposed Resolution, originally signed on November 2 (by Mr. Carreiro) and November 3, 2022 (by Municipal Licensing and Standards), on consent:

"The business licences Licence No. V10-5000697 (Tow Truck Owner Licence), and Licence No. D09-4645148 (a Tow Truck Driver Licence) will be issued and renewed effective immediately (collectively, the "Licences"), subject to the following conditions:

On the consent of all parties, the Tribunal ordered an amendment to the Proposed Resolution: "Tow Truck Owner Licence No. V10-5009410 has been cancelled due to non-payment of the renewal fee. The business licences Licence No. V10-5000697 (Tow Truck Owner Licence), and Licence No. D09-4645148 (a Tow Truck Driver Licence) will be renewed effective immediately (collectively, the "Licences"), subject to the following conditions:

- (1) All fees, documents and/or any outstanding requirements must be submitted to the satisfaction of Municipal Licensing and Standards within 30 days of the Tribunal hearing, failing which the Licences may be cancelled;
- (2) The Licences will be placed on probation for a period of one (1) year. The Licensees are advised that during the probationary period, MLS may make additional checks of any criminal, and by-law charges and convictions against the Licensees and its director, and conduct other investigations, as appropriate, to assess the Licensees' compliance with the requirements of Chapter 545 of the Municipal Code and other applicable laws;
- (3) Prior to each of the next one (1) renewal of the licences, Michael Jorge Borba Carreiro must provide to Municipal Licensing and Standards, at his own expense, an up-to-date abstract of his Criminal Record and Judicial Matters Check;
- (4) During the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions against the Licensees, their director, or any other concerns with respect to the conduct of the Licensees and their director, those matters and report no. 7624 and any updating material, may be brought back before the Tribunal for a full hearing."

(Mr. Adelin Mocanu, Paralegal and Mr. Carreiro attended today's hearing)

4. Jacob Michael Villeneuve Portela (Report No. 7625)
Holder of Tow Truck Driver's Licence No. D09-4675654

DECISION:

The Tribunal issued the following order:

Tow Truck Driver's Licence will be renewed, subject to the following conditions:

- (1) All fees, documents and/or any outstanding requirements must be submitted to the satisfaction of Municipal Licensing and Standards within 30 days of the Tribunal hearing, failing which the licence may be cancelled;

- (2) Tow Truck Driver's Licence will be placed on probation for a period of three (3) years. Jacob Michael Villeneuve Portela is advised that during the probationary period, MLS may make additional checks of any driving, criminal, and by-law charges and convictions against Jacob Michael Villeneuve Portela and conduct other investigations, as appropriate, to assess Jacob Michael Villeneuve Portela's compliance with the requirements of Chapter 545 of the Municipal Code and other applicable laws;
- (3) Prior to each of the next three (3) renewal(s) of the licence, Jacob Michael Villeneuve Portela must provide to Municipal Licensing and Standards, at his own expense, an original up-to-date abstract of his Criminal Record and Judicial Matters Check;
- (4) During the probationary period, if Municipal Licensing and Standards has concerns with any new charges or convictions against Jacob Michael Villeneuve Portela or any other concerns with respect to the conduct of the licensee, those matters and report no. 7625 and any updating material, may be brought back before the Tribunal for a full hearing.

The Tribunal proceeded with a hearing on this matter ex parte, at the request of Municipal Licensing and Standards.

(Mr. Villeneuve Portela failed to attend today's hearing)