

REASONS FOR DECISION OF THE TORONTO LICENSING TRIBUNAL

Date of

Hearing(s): August 21, 2025

Panel: Joanne Lau and Edgar-Andre Montigny, Sitting Panel Chairs

Re: Sharaf Samhadana (Report No. 7957)
Holder of Vehicle-For-Hire Driver Licence No. D01-5221523

Counsel for Municipal Licensing and Standards (MLS): Matthew Cornett

Counsel for Applicant: Unrepresented

INTRODUCTION

Sharaf Samhadana (the Applicant) was first issued a Toronto Vehicle-for-Hire (VFH) Driver Licence by the City of Toronto on August 8, 2022.

Mr. Samhadana was previously before the Toronto Licensing Tribunal (the Tribunal) for a hearing to determine whether his licence should be revoked, suspended or have conditions placed on it, in accordance with Chapter 546-4, subsections A (1), (2) and (5) of the Toronto Municipal Code (the Code) because of a failure to be civil and well-behaved.

At the conclusion of that hearing on June 5, 2025, the Tribunal ordered as follows:

Mr. Samhadana's Vehicle-for-Hire Licence be suspended for a period of six (6) months, effective immediately, subject to him providing written verification to MLS that he has successfully completed and benefited from anger management counselling for a duration of at least six (6) hours, completed over a period of time, from a qualified counselling program. Upon providing this verification Mr. Samhadana or MLS can request that the matter be brought back before the Tribunal for a determination of his fitness to maintain his licence.¹

After the completion of an anger management program on July 21, 2025, Mr. Samhadana requested a hearing before the Tribunal to demonstrate that he had completed and benefited from the program as required and was fit to maintain his licence.

MLS EVIDENCE

The following witnesses testified on behalf of Municipal Licensing and Standards (MLS):

- Neil Singh, MLS Supervisor, By-Law Enforcement
- Edvardo Mitchell, MLS Officer

¹ [Written Reasons for Decision from the April 3, May 1 and June 5, 2025 Tribunal Hearing](#)

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MLS submitted documentary evidence in the form of Report No. 7957, Update #5, dated August 6, 2025 (Exhibit 1). This report included an affidavit from MLS Supervisor Singh concerning his interaction with Mr. Samhadana on July 24, 2025, an email dated July 24, 2025 from Officer Mitchell to Supervisor Singh about that same incident, photos of images taken from a video of this interaction (see below) and an updated summary of the current disposition of charges against Mr. Samhadana under the Canada Criminal Code, Highway Traffic Act and the Code.

MLS also submitted a video clip dated July 24, 2025, recorded by Supervisor Singh, which video recorded his and Officer Mitchell's interaction with Mr. Samhadana on that date. (Exhibit 2).

Officer Mitchell testified that on July 24, 2025, he observed a taxi driver soliciting business while he was on duty in the Union Station area. When he told this driver he was placing him under inspection and requested his identification and licence, Mr. Samhadana approached and began interfering with the inspection by telling the driver not to cooperate with him. Officer Mitchell stated he called Supervisor Singh for help because Mr. Samhadana was not listening to him, not disengaging and encouraging the driver not to listen to him or cooperate which meant he was obstructing the inspection. Officer Mitchell explained that he knew about Mr. Samhadana's history with MLS and wanted to keep his distance. Once Supervisor Singh arrived and engaged Mr. Samhadana, Officer Mitchell stated that he was able to complete his inspection within 15 minutes without any further issues with the driver during the inspection.

According to Supervisor Singh's testimony and affidavit, on July 24, 2025, Officer Mitchell called him while he was on duty around Union Station because Mr. Samhadana was interfering with his inspection. Within 2-3 minutes of receiving the call, he arrived at Officer Mitchell's location as he had been nearby. When he arrived, he saw Mr. Samhadana leaning against the rear passenger door of the red taxicab which Officer Mitchell was attempting to inspect. Supervisor Singh stated that Mr. Samhadana told him to "shut up" when he told him to step aside as he was obstructing and interfering with Officer Mitchell's inspection and refused to comply. Mr. Samhadana continued to engage with the driver of taxicab under inspection despite Supervisor Singh's multiple requests to stop interfering but was told to "shut up" multiple times by Mr. Samhadana.

Supervisor Singh stated that Mr. Samhadana began to personally insult him saying "what happened to you as child? Something bad happened to you...Whatever they did to you as a child, you are taking it out on these poor men? Shame on you, Shame on you!". Supervisor Singh indicated that Mr. Samhadana continued these insults during their interaction by also saying "there is something wrong with your head and I'm sorry for whatever happened to you as a child".

Supervisor Singh explained that when Officer Trieu was doing another inspection during this time, Mr. Samhadana involved himself in that inspection as well by telling that driver he did not have to hand over his taxi licence. Supervisor Singh indicated that Mr. Samhadana continued to try to engage him even though he was not responding to his insults and had to tell him several times to get away from him and stop talking to him. When Supervisor Singh told Mr. Samhadana, he would call the police if he refused to leave him alone, Mr. Samhadana said "Go ahead! What harassment? Have you not

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learned from the last time? Are you stupid or something? Like I said Neil, your days are numbered. Not just you, you and Dev". Supervisor Singh testified that he did not know what Mr. Samhadana meant by this but it was probably not anything good.

Supervisor Singh explained that during this interaction, which was videotaped, Mr. Samhadana then came up to him to ask him if he wanted to inspect his car which was parked nearby and called him "dummy" and "are you stupid or something" when he was trying to get away from Mr. Samhadana and backing away. When another driver approached him and requested to speak to him, Supervisor Singh stated that when he and this driver stepped away from the other drivers to speak privately, approximately 4-5 minutes later, Mr. Samhadana engaged with him in an irate manner saying "you're not enforcement. You're not enforcement. You're not enforcing nothing". When one of the drivers tried to calm him down, Supervisor Singh stated that Mr. Samhadana pushed him away and continued to come towards him pointing his finger at him shouting "you're turning a blind eye because your bosses are corrupt". Supervisor Singh explained that when he tried to walk away to disengage with this aggressive behaviour and out of fear for his safety, Mr. Samhadana shouted "of course you are leaving. Loser". During his departure, Supervisor Singh indicated that he saw the other drivers trying to calm Mr. Samhadana down because he was irate and agitated.

Supervisor Singh explained that other than on July 24, 2025, he has seen Mr. Samhadana at least two times and has recommended to the other by-law enforcement officers to try not to engage him or be around him but rather to observe his behaviour.

APPLICANT'S EVIDENCE

The following witnesses testified on behalf of Mr. Samhadana:

- Hassan Urushe
- Benterki Mohamed Ayoub
- Noman Watto
- Bella Khan

Mr. Samhadana submitted the following documents: an e-mail he sent to MLS dated April 19, 2025, about his complaint against Supervisor Singh and another MLS officer harassing taxicab drivers (Exhibit 3) and a text chat record, dated July 24, 2025, between Mr. Samhadana and Hassan Urushe about unionizing Toronto taxicab drivers (Exhibit 4).

These witnesses testified primarily about their own interactions with MLS inspectors and their opinion about Mr. Samhadana's character.

Mr. Urushe stated that he has known Mr. Samhadana for a few years and that he is a good person. He explained that on July 24, 2025, Mr. Samhadana went to Union Station to meet with him to discuss unionizing taxicab drivers. Mr. Watto stated that Mr. Samhadana is a hardworking person who stands up for others. Mr. Khan testified that he has known Mr. Samhadana for three years and that he is his good friend and very helpful as a driver. Mr. Ayoub stated that Mr. Samhadana is an honest person who is nice and helpful to others.

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During his own testimony, Mr. Samhadana stated he wanted to apologize to the Tribunal for vulgar language he had used in the past with MLS. He indicated that he found the anger management courses helpful and that he wanted to continue with them. He told the Tribunal he has learned breathing techniques to calm him, but he stated that the worst thing was to lay down to people who provoke him.

SUBMISSIONS

MLS Submissions

MLS submits that Mr. Samhadana's uncivil behaviour cannot be tolerated anymore. Despite hearing various complaints in detail against him during the previous hearing and attending an anger management course, as instructed by the Tribunal, Mr. Samhadana's behaviour has not changed. MLS stated that despite the Tribunal giving him the opportunity to show that he could improve his behaviour, within days of completing the anger management program, Mr. Samhadana was interfering with MLS inspections on July 24, 2025, and behaving in an uncivil manner towards MLS inspectors.

MLS summarized that Mr. Samhadana had interfered with the inspection of other taxicabs by telling the drivers not to provide their identification or cooperate with MLS officers as well as standing physically close to officers, yelling at them and saying words meant to provoke a negative reaction from them and prevented them from carrying out their inspections. MLS submits that this behaviour belies Mr. Samhadana's assertions that his behaviour has changed because he has no intention of changing and no awareness that he needs to change. MLS pointed out that Mr. Samhadana has been charged with assault three times, but the charges were withdrawn because peace bonds were issued which have not changed his behaviour because he has no intention to change.

MLS submits that Mr. Samhadana's licence should be revoked, or in the alternative, that his licence be subject to a series of conditions such as completing six (6) additional hours of anger management training, not attending or intervening with any inspection being carried by MLS if he is not the one being inspected and not be within 10 metres of any MLS enforcement officer if he or his taxicab are under investigation or inspection.

Applicant Submissions

Mr. Samhadana submits that he had done what the Tribunal required by completing anger management counselling. He asserted that since he did not use vulgar language when speaking to MLS inspectors, he had benefited from the counselling. He stated that MLS inspectors provoked him and that everything MLS does is interfering with his ability to make a living. He asserted that an example of this is when MLS violate taxi drivers' constitutional rights by attempting to detain them. He argued that the phrase used by MLS inspectors, "I am placing you under inspection", is the equivalent of a police officer saying "I am placing you under arrest": and therefore, both imply that a person is being detained. Mr. Samhadana told the Tribunal that his children had a horrible summer because he had no income and that he needs to work. He stated that MLS has made his life so horrible.

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DECISION

Applicable Sections of the Code

The issue before the Tribunal is whether the Mr. Samhadana, has breached Chapter 546-4A (1)(2) and (5) of the Code by failing to be civil and well-behaved according to Chapter 546-94 of the Code.

Chapter 546-4A (1), (2) and (5) provides that:

An applicant for a licence or for a renewal of a licence, is, subject to the provisions of this chapter, entitled to the licence or renewal except where:

(1) The conduct of the applicant affords reasonable grounds to believe that the applicant has not carried on, or will carry on, the business in accordance with the law and with integrity and honesty; or

(2) There are reasonable grounds to believe that the carrying on of the business by the applicant has resulted, or will result, in a breach of this chapter or any law; or

(5) The conduct of the applicant or other circumstances afford reasonable grounds to believe that the carrying on of the business by the applicant has infringed, or would infringe, the rights of other members of the public, or has endangered, or would endanger, their health or safety.

Therefore, the Tribunal must decide whether or not there are reasonable grounds to believe the Applicant has breached the above-noted provisions of the Code by failing to behave in a civil or well-behaved manner. It is not necessary to prove that it is more likely than not that he engaged in uncivil behaviour but only if there are reasonable ground to believe that he did so.

As there is no clear legal standard to determine when behaviour becomes uncivil or when a person ceases to be well-behaved, the Tribunal is guided by the generally accepted definition of uncivil behaviour namely rude or discourteous words or behaviour that demonstrate a lack of regard or respect for others. Therefore, uncivil behaviour can be low intensity and need not be as serious as bullying, harassment or aggression. Being rude, using insulting names, or using a degrading tone can all be reasonably considered uncivil behaviour.

Reasons for Decision

After reviewing all of the evidence before it, including witness testimony and the video of the incident between Mr. Samhadana and MLS officers, the Tribunal finds that Mr. Samhadana has failed to be civil and well-behaved towards MLS officers and not fit to maintain his licence. As such his VFH licence is revoked.

While Mr. Samhadana has submitted that he was not uncivil because did not use vulgar language during the incident on July 24, 2025, with MLS officers, the Tribunal does not agree. In the video taken during this incident, which is approximately 20 minutes long, Mr. Samhadana is shown using degrading language to insult MLS officers numerous times

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such as calling them “loser” and “stupid”. Throughout the video, Mr. Samhadana’s behaviour strongly demonstrates that he lacks regard or respect for MLS officers because he intentionally tells other taxicab drivers not to co-operate with them and mocks Officer Mitchell’s attempts to make him co-operate and insults Supervisor Singh numerous times. Furthermore, the video shows him repeatedly inserting himself into situations in a disrespectful manner between MLS officers and other taxicab drivers which have nothing to do with him.

The Tribunal especially noted that during the interaction on July 24, 2025, there were many other taxicab drivers present who were speaking to Supervisor Singh, but it was Mr. Samhadana who appeared most agitated and intimidating. Mr. Samhadana approached Supervisor Singh while talking in a loud voice, refusing to back away even when Supervisor Singh told him to numerous times. The video shows one of the other drivers trying to calm Mr. Samhadana down but was pushed aside by him. The Tribunal finds that a reasonable person would have felt threatened or harassed by Mr. Samhadana’s behaviour especially when Mr. Samhadana said to Supervisor Singh that his days were numbered.

The issue before the Tribunal for this hearing is whether Mr. Samhadana is fit to maintain his VFH licence. He was given the opportunity at the hearing to demonstrate that he has benefited from the anger management course he completed and was able to be civil and well-behaved with MLS staff and the public. However, the Tribunal finds that it is clear from his testimony, that he does not understand what it means to act civilly nor is he aware that his actions and words as shown on the video, are uncivil and disrespectful. He was not able to provide an explanation to the Tribunal as to why he continued to act this way even after completion of his anger management course as he appeared agitated and disrespectful when talking to MLS officer on the video to the point where he seemed to be intentionally provoking them. As such, the Tribunal is of the opinion that Mr. Samhadana has not shown he has gained any discernable benefit from anger management counselling.

Although it is commendable that he has expressed that he may continue with the counselling, his testimony reveals that he continues to feel much frustration with how taxicab drivers are treated by MLS officers as he submitted as evidence, an email he had sent to MLS about Supervisor Singh’s behaviour towards taxicab drivers. It is apparent to the Tribunal that the intensity of the frustration he continues to feel towards MLS renders him unable to control his actions and words to the point where he can interact civilly and respectfully with MLS staff.

Even though MLS has suggested conditions that could be placed on Mr. Samhadana’s VFH licence, the Tribunal finds that based on his continued lack of awareness of his uncivil behaviour even after anger management counselling in addition to his conviction that he is justified in his actions, any restrictions or conditions placed on his licence would not have a positive impact on his behaviour. It is apparent to the Tribunal that Mr. Samhadana is very upset and stressed by how MLS officers are treating taxicab drivers, but this cannot justify continuing to publicly interfere with inspections and antagonizing the relationship between drivers and MLS officers which is what he is shown clearly doing in the video.

The Tribunal did give weight to the fact that its decision would impact his ability to make a living and provide for his children but given Mr. Samhadana’s continued lack of awareness

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that his behaviour is uncivil, the Tribunal also must be mindful of its mandate to protect the public's interests. In this case, Mr. Samhadana's inability to control his uncivil behaviour in public and his lack of expressed desire to change, indicate that he is no longer fit to hold his licence.

The Tribunal finds, therefore that there are reasonable grounds to believe that the Applicant, Sharaf Samhadana, has failed to carry on his business as a VFH driver in accordance with Chapter 546-4(A)(1),(2) and (5) of the Code because he has failed to be civil and well-behaved.

Based on the above reasons, the Vehicle-for-Hire Driver Licence held by the Applicant (Mr. Samhadana) shall be revoked, effective immediately.

Joanne Lau and Edgar-Andre Montigny, Sitting Panel Chairs

Reference: Minute No. 61/25

Originally Signed: September 17, 2025