

Professional Misconduct – Obtaining vehicle in a fashion which could bring discredit on the profession – misrepresentation of identity – refusal to respond to request made pursuant to Bylaw 5020

Relevant legislation: Section 43 of *The Funeral and Cremation Services Act*;
Bylaw 5020

Council File # 2007-09

An owner obtained a vehicle from a dealer and during the night left a worthless post-dated cheque at the dealership. The owner subsequently evaded attempts to retrieve the vehicle. The owner did not respond to requests made by the Resource and Compliance officer and the Investigation Committee. The services of a bailiff were engaged to serve documents on the owner, and when confronted by the bailiff the owner misrepresented his identity and drove away in a reckless manner in an attempt to evade the bailiff. The manner of the owner's driving resulted in a charge being laid under *The Traffic Safety Act*

Three days before a Discipline Committee was to meet on this matter, the owner volunteered to cooperate and an agreed statement of facts and proposed sanction was presented to the Committee. The committee considered the personal circumstances and possible health problems the owner was suffering at the time and ordered a Reprimand, a suspension of the owner's license for three days and payment of costs in the amount of \$5000.