

**IN THE MATTER OF *THE MOTOR DEALER ACT*, R.S.B.C. 1998, c.316 and  
*THE BUSINESS PRACTICES AND CONSUMER PROTECTION ACT*, S.B.C. 2004, c.2**

BETWEEN:

**THE VEHICLE SALES AUTHORITY OF BRITISH COLUMBIA**

THE AUTHORITY

AND:

**MANAT SANDHU**

RESPONDENT/SALESPERSON

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**DECISION OF THE REGISTRAR OF MOTOR DEALERS  
RE: APPLICATION FOR INTERIM LICENSE SUSPENSION**

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**Date and location of decision:      October 14, 2025, at Langley, British Columbia**

**By way of written submissions**

**I.      Introduction**

1. The Vehicle Sales Authority of British Columbia (“the Authority”) brings this application pursuant to section 7(2) of the *Salesperson Licensing Act* (“SLR”) seeking the suspension of the salesperson license of Manat Sandhu (#308900).
2. This application was heard by way of written submissions.

**II.     Background and Evidence**

3. A Hearing Notice was issued in this matter by the Authority on September 17, 2025 (“the Notice”) and constitutes the Authority’s written submissions. Mr. Sandhu is the sole Respondent. The Notice is supported by an affidavit sworn by Alan Mullen on September 16, 2025 (“the Mullen Affidavit”). Mr. Mullen is the Authority’s Director of Investigations and Licensing.

4. In the Notice, the Authority says that Mr. Sandhu is the subject of two RCMP investigations and a parallel Authority investigation in relation to alleged forgery and fraud allegations arising out of illegal motor vehicle sales. The Authority says that if these allegations are proven, they would constitute breaches of the *Motor Dealer Act* (“MDA”), the *Motor Dealer Act Regulations* (“MDAR”) and the *Business Practices and Consumer Protection Act* (“BPCPA”). On this basis the Authority seeks suspension of Mr. Sandhu’s salesperson’s license pending the outcome of the RCMP and Authority investigations and pending a full hearing of this matter.
5. Mr. Sandhu is currently licensed with the Authority as a salesperson under license number S308900. His license expires on November 15, 2025 and is inactive as Mr. Sandhu is not currently employed by a motor dealer.
6. Mr. Mullen says that in June of 2025, the Authority was contacted by the RCMP who advised it that Mr. Sandhu was a suspect in two investigations of illegal motor vehicle sales which allegedly involved forgery and fraud. Between June of 2025 and August of 2025, communication continued between the Authority and the RCMP concerning the investigations during which time it was learned that the allegations flowed from Mr. Sandhu’s previous employment at two different motor dealers.
7. Mr. Mullen states that the RCMP investigations are ongoing but no further details of the allegations against Mr. Sandhu have been provided “to protect the integrity of the criminal investigations.” Mr. Mullen says that witnesses have been interviewed by the Authority whose accounts support allegations of fraud and forgery and that the Authority is in the process of obtaining evidence in that regard.

### **III. Positions of the Parties – The Authority**

8. The Authority submits that Mr. Sandhu’s salesperson license should be suspended in order to protect the public interest. It argues that I am authorised to do so by sections 4(6) and 5 of the MDA and sections 6 and 7(2) of the *Salesperson Licensing Regulation* (“SLR”).

#### **IV. Positions of the Parties – Mr. Sandhu**

9. Mr. Sandhu denies the allegations of the Authority and of the RCMP. More specifically, he says that the RCMP investigation has not been substantiated and that he has not breached the MDA or its regulations. He says there is no evidence to demonstrate that he poses a risk to the public.
10. Mr. Sandhu references his previous role in managing automotive industry marketing campaigns and duties related to lead generation which he says were carried out “properly and within the scope of my duties.” He says that he has not been employed in the automotive industry for approximately seven months and that during that period he has been focused on establishing a new business outside of the industry. He would like to return to the automotive industry in the future as this will assist him financially and in developing his new business.

#### **V. The Law**

11. Section 7(2) of the SLR authorizes the suspension of a salesperson license “if the authority considers, having regard to the conduct of the licensee, that it would not be in the public interest for the licensee to continue to be licensed.”
12. The British Columbia Court of Appeal in *Scott v. College of Massage Therapists of British Columbia*, 2016 BCCA 180 addressed the imposition of interim conditions under section 35 of the *Health Professions Act*, referring to such an order at paragraph 41 as “an extraordinary remedy that ought to be used sparingly.” That provision permits a discipline committee to impose conditions on a registrant’s practice or suspend a registration if doing so is considered necessary to protect the public during an investigation.
13. The court in *Scott* articulated the test to be applied under section 35 as follows:

[81] In the context of s. 35, the inquiry committee should be satisfied that there is a prima facie case supporting the index allegations, and that having regard to such material as is put before it by the registrant, the public requires protection through an interim order. There will be no “mini trial” on the index allegations before the inquiry committee. However, as *Perry* stated, the inquiry committee in considering the evidence on which the allegation is made against the registrant (at para. 19):

... is entitled to discount evidence that is inconsistent with objective or undisputed evidence or which is manifestly unreliable. The Committee may receive and assess evidence on the effect of an interim order on the registrant, and the registrant is entitled to give evidence on this. The registrant may also give evidence, if he can, to establish that the allegation is manifestly unfounded or manifestly exaggerated; but the Committee is not otherwise required to hear his evidence as to whether or not the substantive allegation against him is or is not well-founded: that is not the issue on the application for an interim order.

14. The test in *Scott* was considered by Registrar Christman in *Vehicle Sales Authority v. Best Import Auto Ltd.* 2017-BCRMD-008 (“*Best Import*”). While that decision dealt with an application to suspend a motor dealer’s license as opposed to that of a salesperson, I am of the view that the reasoning applies equally here:

[16] While it was decided under the *Health Professions Act*, the BC Court of Appeal decision in *Scott v. College of Massage Therapists of British Columbia*, 2016 BCCA 180 provides guidance regarding interim suspensions. A review of that decision notes the following principles:

- (a) at this stage, I am not “trying” the facts. I am determining whether the evidence if believed true, indicates the public would be placed at risk of harm if *Best Import* continued to operate,
- (b) the test is whether a *prima facie* case has been made out in support of the Allegations,
- (c) the three main considerations are:
  - (i) the seriousness of the allegations,
  - (ii) what measures are currently in place to protect the public, and
  - (iii) the probability of harm,
- (d) in reviewing the evidence, I am to be mindful and consider its reliability, plausibility, internal and external consistency and any motivation, and
- (e) I am to balance the interests of *Best Import* to continue to operate with

that of the public interest and protection of the public from harm. The public interest is paramount.

15. The test in *Scott* was further refined by the BC Supreme Court in *Klop v. College of Naturopathic Physicians of British Columbia*, 2022 BCSC 2086, leave to appeal denied, *Klop v. College of Naturopathic Physicians of British Columbia*, 2023 BCCA 125 (“*Klop*”). In its reasons, the Court in *Klop* found that in the case of an interim license suspension application, a two-part test could be drawn from *Scott* as follows:

[102] An interim order under s.35 is a drastic remedy that may have serious reputational and financial impacts on the registrant and thus out to be used sparingly: *Scott* at paras. 41, 55. As such, to make in interim order under s.35(1), the Panel must be satisfied that (*Scott*, at para.81):

- a) there is a *prima facie* case supporting the allegations against the registrant; and
- b) the public requires protection through an interim order.

16. I am of the view that the test developed in *Scott* and further applied in *Klop* is the proper test to be applied when considering whether to issue a suspension order under section 7(2) of the SLR.

## VI. Discussion

### A. Is there a *prima facie* case supporting the allegations against Mr. Sandhu?

17. In *Klop*, the Court commented on the first element of the *Scott* test as follows:

[103] On the first element of the *Scott* test, the Panel is not assessing the substantive allegations; rather, its objective is to determine whether an interim order is required until the discipline committee assesses the merits: *Scott* at paras. [44](#), [72–76](#), [88](#). At this stage of the analysis, the Inquiry Committee need only find a *prima facie* case. This standard is satisfied by a case that “covers the allegations made and which, if they are believed, is complete and sufficient to justify a verdict in the complainant’s favour in the absence of an answer”: *Scott* at para. [80](#), citing *Ontario (Human Rights Commission) v. Simpson Sears Ltd.*, [1985] 2 S.C.R. 536 at 558, [1985 CanLII 18](#) [*Simpson Sears*].

(emphasis added)

18. Here, it is alleged by the Authority that Mr. Sandhu is the subject of two RCMP investigations arising out of illegal motor vehicle sales which involve forgery and fraud. There is a parallel ongoing investigation being conducted by the Authority. However, as noted previously in these reasons, very little evidence or detail has been adduced to support the allegations.

19. The Authority relies on three decisions in support of its position. However, I find that each are distinguishable on their facts:

- In *Vehicle Sales Authority of British Columbia v. Delta Well (Canada) Ltd. Dba New Stars Motors and Tong*, (H-15-11-002), May 24, 2016, reference was made to a previous application brought by the Authority seeking an interim suspension of the registration and license of the motor dealer and Mr. Tong respectively. In the course of that hearing, the Authority introduced evidence from a Compliance Officer who had inspected the dealership and concluded that the odometers on a number of vehicles sold by the motor dealer had been tampered with. At the hearing, Mr. Tong admitted to the allegations. Citing the public interest, Registrar Christman ordered that the motor dealer's registration and Mr. Tong's license be suspended pending the conclusion of the investigation.
- In *Vehicle Sales Authority of British Columbia v. Kentson*, (H-15-05-001), May 27, 2015, the salesperson license for Mr. Kentson Chan was ordered suspended pending a full hearing of allegations that he stole money from a dealership. More specifically, it was alleged that Mr. Chan deposited a consumer's \$10,000 cheque into his own personal bank account. An RCMP investigation in relation to the alleged theft was ongoing. Citing the public interest, Registrar Christman suspended Mr. Chan's salesperson license pending a full hearing.
- In *Voutsis v. College of Physicians and Surgeons (Sask)*, 1987-01-21, Court of Queen's Bench, a physician sought a stay of an order of the Saskatchewan College of Physicians and Surgeons which suspended his practice license due to his being charged under the *Narcotic Control Act*. It is not clear from the reasons in *Voutsis* as to the basis for the interim suspension order issued by the College. The court's

decision primarily addressed whether Dr. Voutsis would be prejudiced by having to take part in the disciplinary proceedings prior to the criminal matter commencing.

20. What is common in each of these three decisions is that the evidence relied on by the respective regulatory bodies was more substantial than that in the present case. For example, in *Delta Well*, Mr. Tong admitted at hearing to rolling back odometers. In the case of *Kentson*, it was alleged that Mr. Chan had stolen \$10,000 from a motor dealer and deposited it to his personal account. In *Voutsis*, it appears as though Dr. Voutsis had already been charged under a federal statute prior to the suspension order being issued.
21. While the Authority is not required at this stage of the analysis to prove its case, it is required to demonstrate that there is a *prima facie* case against Mr. Sandhu. As noted previously, the Authority's investigation is incomplete and the RCMP investigations are ongoing. Mr. Sandhu has not been criminally charged and the Hearing Notice does not allege specific contraventions of the MDA, MDAR or the BPCPA. There is a dearth of evidence as to the conduct that Mr. Sandhu is alleged to have engaged in.
22. Returning to the reasoning in *Klop*, I do not find that the Authority has presented a case that covers the allegations made and on that basis I find that the Authority has not met the first element of the *Scott* test.

#### **B. Does the public require protection through an interim order?**

23. Having found that the Authority has not met the first element of the *Scott* test that would end the matter. However, I will nonetheless consider the second element, namely, whether the public requires protection through an interim suspension order. In doing so, I again turn to the reasoning of the court in *Klop*

[105] On the second branch of the test, the Panel must find that there is a real risk to the public if an interim order is not granted: *Scott* at para. [55](#). The seriousness of the risk is determined with a view to the seriousness of the allegations, nature of the evidence and likelihood of the conduct being repeated if no order is made: *Scott* at para. [55](#). The analysis at this stage is limited to a "preliminary assessment of the facts": *Scott* at para. [88](#). The Panel is not to venture into an analysis of the merits of the allegations but

is permitted to discount evidence that is “manifestly unfounded or manifestly exaggerated”: *Scott* at para. [63](#).

24. The allegations here are clearly serious. But is there a real risk to the public if an interim suspension order is not granted? I do not believe that to be the case. The nature of the evidence is minimal and provides little insight as to the conduct that the Authority says Mr. Sandhu has engaged in. Mr. Mullen says in his affidavit that witnesses have been interviewed and discussions have taken place with the RCMP but no particulars have been provided.
25. Other factors to note include the fact that Mr. Sandhu, while currently licensed, is not employed by a motor dealer as a salesperson. His license is inactive. There is no evidence that he has applied to the Authority to activate his license. In other words, Mr. Sandhu currently cannot work as a salesperson. That being the case, the likelihood of the conduct complained of being repeated is minimal.
26. Finally, Mr. Sandhu’s license expires on November 15, 2025. Section 3(4) of the SLR requires that a renewal application must be made at least 14 days prior to the license expiration date. As such, Mr. Sandhu must seek renewal no later than November 1, 2025. It would be open to the Authority at that time to either refuse the renewal application under section 5 of the SLR which would result in Mr. Sandhu having a right to a hearing under section 5(2), or to grant the application while imposing conditions under section 6. While the Authority says that suspension is preferred over conditions, it has not explained the reason for that preference.
27. Having considered all of the circumstances, I do not find that the public requires protection from Mr. Sandhu by way of an interim suspension order and as such, the Authority has not satisfied the second element of the test in *Scott*.

**VII. Summary**

28. Based on the aforementioned, I dismiss the Authority's application seeking suspension of Mr. Sandhu's salesperson license.

Signed this 14th day of October 2025

"Original signed"



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Patrick Poyner  
Registrar of Motor Dealers