



**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE
MOTOR VEHICLE DEALERS COMPENSATION FUND
HELD VIA VIDEOCONFERENCE ON MAY 8, 2024**

IN ATTENDANCE:

| | |
|---------------|-----------------------|
| W. Lee | (Chair) |
| J. Raymond | (Vice Chair) |
| P. Stock | (Secretary Treasurer) |
| M. Rispin | (Past Chair) |
| J. Suraski | (Member) |
| G. Nikolov | (Member) |
| M. A. Lamb | (Member) |
| G. Vigliatore | (Member) |
| C. Biggs | (Member) |
| J. Beaton | (Staff) |
| D. Dailly | (Staff) |
| A. Khuu | (Staff) |
| T. Lee | (Staff) |

GUESTS:

J. Donnelly (Staff)

NOTICE TO THE READER: For the purposes of these public minute, reference to legal advice provided to the Board of Trustees and claimant's identifying information has been removed, unless the claim has been appealed to LAT.

1. Call to Order

The meeting was regularly constituted and called to order by W. Lee at 10:03 a.m.

2. Approval of Agenda

The agenda was approved as presented.

Moved: J. Raymond

Seconded: J. Suraski

3. Statutory Reporting by Management

No questions arose concerning the statutory reporting by management.

4. Declaration of Conflict of Interest

M. Rispin declared a conflict of interest with respect to the trustee selection discussion and advised that he would be absent for that portion of the agenda. He also declared a conflict with respect to the Hermans Holdings claim and would be recusing himself during that claim discussion.

5. Verification of Minutes

The minutes of March 20, 2024 were approved.



Moved: G. Nikolov
Seconded: M.A. Lamb

6. Business Arising from Previous Meeting

No items of business were discussed as arising from the previous meeting.

J. Donnelly joined the meeting at 10:08 a.m.

7. OMVIC Communications Presentation

J. Donnelly provided a presentation on OMVIC's overall communication strategy and highlighted communication activities that specifically relate to the MVDCF. The priority for the 2024 year is to promote and increase consumer awareness of the compensation fund.

J. Donnelly left the meeting at 10:36 a.m.

8. Operations:

a) February 29, 2024 financial statements and dashboard

P. Stock provided an overview of the February 29, 2024 financial statements and dashboard. The financial statements were approved as presented.

Moved: J. Raymond
Seconded: C. Biggs

b) MVDCF Investment Risk Profile and Investment Objective

A. Khuu gave an overview of his briefing note circulated to the Board. He reminded the Board of their current risk profile and investment objectives as outlined in the 2014 Investment Policy. A general discussion was held about alternative asset classes, and whether they fall within the fund's current risk profile and objectives. There was general consensus that the investment objective was to earn a responsible rate of growth and that it is unnecessary to aggressively grow the fund.

J. Beaton suggested the Board could go to RFP using the 2014 Investment Policy, as it's a cautious and risk adverse policy statement, and seek guidance from the selected manager as to what updates they would suggest. There was general agreement with this approach. M. Rispin reminded of the value of ensuring some flexibility within the parameters when the policy is next updated.

A motion was brought to approve using 2014 Investment Policy when going to RFP later in the year. M. A. Lamb chose to abstain from the issue.

Moved: G. Nikolov
Seconded: J. Raymond



9. Governance:

a) Trustee Selection Committee update and Trustee appointment

M. Rispin abstained from the voting on this topic to avoid conflict and left the meeting at 10:57 a.m.

J. Raymond provided a brief overview of the selection committee's interviews with both candidates and noted that both individuals had excellent experience in the used car market that would prove crucial following M. Rispin's departure from the Board. There was a general discussion with respect to ensuring that equality, diversity and inclusion are considered when recommending candidates, as well as ensuring that there are no gaps in expertise within the Board's skills grid.

Following the discussion, W. Lee, on behalf of the selection committee, put a motion forward to recommend J. P. Tangreda.

Moved: W. Lee

Seconded: M. A. Lamb

M. Rispin joined the meeting at 11:12 a.m.

b) Ministry's MVDA Proposals – MVDCF response

An overview was provided of the management committee's response to the Ministry's consultation paper. There was general agreement with the committee's position, however, the Board revised their position with respect to the proposal that would require an information guide be supplied to consumers prior to purchase. The Board now fully supports the Ministry's proposal, and an amendment is to be made to the final submission.

W. Lee put a motion forward to approve the response subject to amendments to item #2.

Moved: G. Nikolov

Seconded: J. Raymond

D. Dailly informed the board that the deadline to finalize their response is May 21st and that they may wish to provide a position on the \$300 new dealer fee. J. Beaton explained that the Board may wish to consider a position that removes reference to the \$300 fee in the MVDA, which would allow more flexibility to increase fees should the need arise.

Furthermore, the Board may wish to reaffirm its position on Section 87 of the MVDA that speaks to the requirement for dealers to reimburse the MVDCF when a claim is paid out.

D. Dailly to prepare and circulate the Board's final position for approval prior to submitting it to the Ministry.



10. OMVIC Board Update

J. Beaton provided an update on recent board-related activities.

Meeting recess at 11:54 a.m.

Meeting commenced at 12:07 p.m.

11. Claims

D. Dailly provided an overview of the fiscal year's claim activity.

| Dealer | Criteria | Amount Claimed | Amount Approved |
|-----------------|-----------------|-----------------------|------------------------|
| Carone | Bankruptcy | \$2,072.97 | \$2,072.97 |
| Carone | Bankruptcy | \$3,881.02 | \$1,507.30 |
| Carone | Bankruptcy | \$3,028 | \$2,323.91 |
| Carone | Bankruptcy | \$1,066.02 | \$1,106.92 |
| Carone | Bankruptcy | \$9,264.54 | \$9,177.86 |
| Echo Auto Group | Proposal | \$16,479.72 | \$16,479.72 |
| Echo Auto Group | Proposal | \$2,494.95 | \$376.48 |

12. Other Business

No other business was declared arising.

13. Next Meeting

The next meeting is scheduled for June 18th, 2024 (via videoconference).

14. In-Camera

On a motion duly made (W. Lee), and seconded (C. Biggs) and carried unanimously, the meeting went in-camera at 1:18 p.m.

15. Termination

On a motion duly made (J. Raymond) and seconded (P. Stock) and carried unanimously, the meeting was terminated.