

APPEAL NUMBER: NOAA 26-13

IN THE MATTER OF AN APPEAL UNDER PART IV OF O. REG. 187/09 MADE UNDER
THE *SAFETY AND CONSUMER STATUTES ADMINISTRATION ACT, 1996*, S.O. 1996, C. 19

BETWEEN:

HAYATULLAH AHMADI

Appellant

- and -

THE ELECTRICAL SAFETY AUTHORITY

Respondent

Decision of the Review Panel

Review Panel: Rainer Arocena

Hearing Dates: In writing

Appeal Number: NOAA 26-13

For the Appellant

Self-represented

For the Respondent

David G. Cowling

Independent Legal Counsel

Dan Goudge

I. INTRODUCTION

1. The Appellant brings this appeal seeking to overturn an Administrative Penalty Order (the “**APO**”) imposing an administrative penalty in the amount of \$3,000, made pursuant to s. 113.18.1(1) of the *Electricity Act, 1998*, S.O. 1998 c. 15, Sch. A (the “**Act**”).
2. This appeal hearing was conducted by the Review Panel in writing, pursuant to rule 19.3 of the Electrical Safety Authority’s (“**ESA**”) *Rules of Procedure for Reviews and Appeals* (the “**Rules**”).

II. BACKGROUND FACTS

3. On May 10, 2024, the Respondent received an online complaint regarding advertisements throughout Pickering and Ajax that offered “all electrical services”, including the installation of potlights in residential and commercial buildings for \$45. The advertisements did not list a company name or an ESA licence number. The only identifying information was the phone number, 647-624-3206.
4. On September 4, 2024, the Respondent assigned an investigator to investigate the complaint.
5. On November 11, 2024, the investigator called the phone number listed on the advertisement. The Appellant answered and confirmed that he installed potlights, quoting the investigator a price of \$55 per potlight.
6. On November 18, 2024, the Appellant submitted to a cautioned interview with the investigator. During the interview, the Appellant confirmed his identity, as well as the fact that he owned the phone number 647-624-3206, which was listed on the advertisements. The Appellant also admitted that he posted the advertisements, though he denied performing electrical work, instead stating that he only changed lightbulbs on light fixtures, chandeliers, and LED potlights.
7. The Appellant is not licensed under the *Act* or its regulations to perform electrical work.
8. On February 17, 2026, the Respondent issued the APO, which lists one contravention:
 - a. That between May 1, 2024 and May 10, 2024, the Appellant placed advertisements for electrical work on a lawn sign despite not holding an authorization to conduct electrical work, contrary to s. 113.2(1) of the *Act*.
9. A penalty of \$3,000 was assessed for this contravention.
10. On March 16, 2026, the Appellant filed a Notice of Appeal to Review Panel, challenging the APO. However, the Appellant did not provide any grounds for appeal in his Notice. Since March 16, 2026, the Appellant has not filed any substantive materials in support of his appeal. The only information provided by the Appellant regarding his appeal is a statement in an email he sent to the Reviews and Appeals Office, in which he stated that he wished to challenge “both the amount and the apo.”

III. LEGISLATIVE SCHEME

11. Section 113.2(1) of the *Act* prohibits individuals from advertising electrical services unless they hold an authorization under the *Act* and its regulations. Specifically, s. 113.2(1) states that “[e]xcept as provided in the regulations, no person shall carry out or propose to carry out, or permit or employ another person to carry out, an activity referred to in the regulations as requiring authorization without first obtaining an authorization in accordance with this Part and the regulations.”
12. Section 3 of the *Licensing of Electrical Contractors and Master Electricians* regulation, O. Reg. 570/05 (the “**Regulation**”), provides that “[n]o person shall operate an electrical contracting business with an electrical contractor licence issued under this Regulation.”
13. Section 113.18.1 of the *Act* grants the Respondent the authority to impose administrative penalties. The key provisions state:

113.18.1 (1) A Director may, by order, impose an administrative penalty against a person in accordance with this section and the regulations made by the Minister if the Director is satisfied that the person has contravened or is contravening,

- (a) a prescribed provision of this Part or the regulations;
- (b) a restriction, limitation or condition imposed by a Director in respect of a prescribed authorization; or
- (c) a prescribed order of the Authority.

...

(3) An administrative penalty may be imposed under this section for one or more of the following purposes:

- 1. To ensure compliance with this Part or the regulations.
- 2. To prevent a person from deriving, directly or indirectly, any economic benefit as a result of a contravention described in subsection (1).

...

(4) The amount of an administrative penalty shall reflect the purpose of the penalty and shall be determined in accordance with the regulations made by the Minister, but the amount of the penalty shall not exceed \$10,000.

14. Further detail on the administrative penalty regime is set out in the *Administrative Penalties* regulations, O. Reg. 12/23, which provides as follows:

6. For the purposes of subsection 113.18.1 (4) of the Act, a Director shall determine the amount of an administrative penalty for a contravention prescribed in section 1 of this Regulation in accordance with the following rules:

1. The Director shall determine whether, in the Director's opinion, the contravention had a major, moderate or minor adverse effect, or the potential to have such an adverse effect, on electrical safety.
2. The range for the administrative penalty is set out in Column 2 of the Table to this section opposite the determination set out in Column 1 as described in paragraph 1.
3. The amount of the administrative penalty for the contravention is an amount selected by the Director from within the range described in paragraph 2 after considering the following criteria:
 - i. Whether the person who committed the contravention has previously been subject to enforcement actions under Part VIII of the Act or its regulations for contraventions of a similar nature.
 - ii. The extent of the harm, or of the degree of risk of harm, to others as a result of the contravention.
 - iii. Whether the contravention was deliberate.
 - iv. Whether the contravention was repeated or continuous.
 - v. The length of time during which the contravention continued.
 - vi. Whether the person who committed the contravention derived any economic benefit from the contravention.

TABLE
RANGE OF ADMINISTRATIVE PENALTIES

Column 1 Severity of adverse effect or potential adverse effect	Column 2 Range
Major	From \$5,001 to \$10,000
Moderate	From \$1,001 to \$5,000
Minor	From \$100 to \$1,000

IV. DECISION

15. The Appellant has failed to identify any error with the APO. The Appellant listed no grounds of appeal in his Notice of Appeal, and delivered no submissions or evidence in support of his appeal.
16. I have reviewed the submissions and evidence filed by the Respondent. I am satisfied that the Appellant contravened the *Act* by placing advertisements for electrical services without holding a licence under s. 3 of the *Regulations*. I am also satisfied that the penalty of \$3,000 imposed by the APO is appropriate in this case. I therefore confirm the APO under appeal.
17. Finally, I note that r. 2.1 of the Electrical Safety Authority *Rules of Procedures for Reviews and Appeals* (the “**Rules**”) imposes a duty on all parties to participate in an appeal proceeding. This rule makes clear that parties cannot simply commence an appeal before this Panel and then do nothing to move it forward. Yet, that is precisely what the Appellant has done in this case, despite repeated follow-ups by the Review and Appeals Office.
18. As set out in r. 2.2 of the *Rules*, where a party fails to participate in an appeal, the Panel may consider and decide the appeal without that party’s involvement. I have done so here.

V. ORDER

19. The Panel confirms the APO in this matter.

Dated this 25th day of September, 2026.



Rainer Arocena