

**DISCIPLINE COMMITTEE  
OF THE COLLEGE OF DENTURISTS OF ONTARIO**

PANEL:

Gord White, Chairperson  
Bruce Selinger, Professional Member  
Gaganjot Singh, Public Member

BETWEEN:

COLLEGE OF DENTURISTS OF ONTARIO	)	REBECCA DURCAN for
	)	College of Denturists of Ontario
- and -	)	
	)	
MANUSOS KLOUVIDAKIS	)	Member not present
Reg. No. 544-90	)	
	)	
	)	JORDAN STONE
	)	Independent Legal Counsel
	)	
		Heard: February 3, 2021

**MOTION DECISION AND REASONS**

A motion in this matter was heard before a panel of the Discipline Committee of the College of Denturists of Ontario (the “College”) on February 3, 2021. The motion was heard electronically through videoconference, pursuant to the *Hearings in Tribunal Proceedings (Temporary Measures) Act, 2020*.

## **The Allegations**

The Notice of Hearing dated July 25, 2020 was filed as Exhibit 1 to the motion. The allegations against Manusos Klouvidakis (the “**Member**”), as contained in the Statement of Allegations appended to the Notice of Hearing, are as follows:

### **The Member**

1. Manusos Klouvidakis (“the Member”) became a member of the College of Denturists of Ontario (the “College”) on or about December 11, 1990.
2. On or about May 23, 2018 the Member was suspended for non-payment of fees.

### **Order to attend oral caution**

3. On or about July 10, 2018 the Member was ordered by a panel of the successor to the Complaints Committee, the Inquiries, Complaints and Reports Committee (the “ICRC”) to attend at the College to receive an oral caution from a panel of ICRC.
4. On or about January 10, 2019 the Member was scheduled to attend at the College to receive an oral caution from a panel of the Inquiries, Complaints and Reports Committee (the “ICRC”). The Member did not attend.
5. On or about March 1, 2019 the Member was scheduled to attend at the College to receive the oral caution from a panel of the ICRC originally scheduled to be delivered on January 10, 2019. The Member did not attend.

### **Acts of Professional Misconduct**

6. As a result of the above, it is alleged that the Member engaged in professional misconduct pursuant to s. 51(1)(c) of the Code, as set out in one or more of the following paragraphs of section 1 of Ontario Regulation 854/93:
  - a. He failed to attend an oral caution of the Complaints Committee or an oral reprimand of the Discipline Committee (paragraph 39); and/or
  - b. He engaged in conduct or performed an act, relevant to the practice of denturism that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, unethical or unprofessional (paragraph 47).

## **The Motion**

The College brought a motion seeking an indefinite adjournment of the allegations against the Member. The College advised that the motion was brought on the basis that the Member had signed an Undertaking and Surrender Agreement on September 14, 2020 (the “Undertaking”), which was filed as Exhibit 2 on the motion.

The Member was not present and did not enter a plea to the allegations. College counsel advised that although the Member was not present, the request for an indefinite adjournment was being made jointly pursuant to the Undertaking.

In the Undertaking, in exchange for the College seeking to indefinitely adjourn the hearing into the allegations against the Member on a without costs basis, the Member agreed to:

- Resign from the College effective September 30, 2020;
- Immediately and forever refrain from:
  - Using the protected title Denturist, a variation or abbreviation or an equivalent in another language;
  - Fitting and dispensing removable dentures; and
  - Holding himself out as and/or pretending to be a member of the College;
- Never apply for registration, licensure or similar status with the College; and
- Have the Undertaking and/or its terms posted on the College’s register, website, and/or publications.

The Member also acknowledged in the Undertaking that:

- If he reapplied for membership, registration, licensure or similar status with the College in the future, the College:
  - Would be entitled to rely on the Undertaking in any registration or other similar proceeding as reason to deny his application; and

- Would be entitled to proceed with a hearing on the specified allegations of professional misconduct contained in the Notice of Hearing as well as for breach of the Undertaking and that the College would be entitled to rely on the Undertaking for that purpose; and
- A breach of any of the terms of the Undertaking may constitute professional misconduct for which the College may take action against the Member and the Undertaking would be admissible in any such proceeding.

### **Decision**

After considering the exhibits filed and the submissions of College counsel, the Panel granted the College's motion and the relief requested. The Panel ordered an indefinite adjournment of the hearing in accordance with the terms of the Undertaking.

### **Reasons for Decision**



The Panel granted the College's request for an indefinite adjournment of the hearing in this matter, in consideration of the Member entering into the Undertaking, pursuant to which he agreed to resign from the College and never re-apply for membership.

The Panel was satisfied that the indefinite adjournment would not compromise public safety and was in the public interest in light of the Undertaking. The Panel accepted that the Member's resignation and agreement to be bound by the terms of the Undertaking ensured that the Member would no longer be entitled to practice denturism in Ontario or hold himself out as a person who is qualified to practice denturism, which would achieve public protection.

The Panel notes that if the Member seeks to re-apply, the College would be entitled to proceed with the allegations, which ensures that the Undertaking cannot be frustrated. Further, the Undertaking will be posted on the public register and the Panel's Decision and Reasons will be made public, which ensures a transparent outcome.

The motion for an indefinite adjournment was therefore granted.

I, Gord White, sign this decision and reasons for the decision as Chairperson of this Discipline panel and on behalf of the members of the Discipline panel as listed below.

  
\_\_\_\_\_  
Gord White  
Chairperson  
\_\_\_\_\_  
Date

**Panel**

Gord White, Chairperson  
Bruce Selinger, Professional Member  
Gaganjot Singh, Public Member