

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

B E T W E E N :

COLLEGE OF DENTURISTS OF ONTARIO

- and -

VICTOR MINAS

NOTICE OF HEARING

THE INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE OF THE COLLEGE OF DENTURISTS OF ONTARIO (the "College") has referred specified allegations against you to the Discipline Committee of the College. The allegations were referred in accordance with section 26(1)1 of the *Health Professions Procedural Code* (the "Code"), which is Schedule II to the *Regulated Health Professions Act, 1991*. The statement of specified allegations is attached to this Notice of Hearing as Schedule "A". A discipline panel will hold a hearing under the authority of sections 38 to 56 of the *Code* for the purposes of deciding whether the allegations are true. The hearing will be held before a panel of the Discipline Committee (the "Panel"), electronically or at a location to be set by the Registrar, and at a time and on a date, also to be determined by the Registrar. You may have a representative appear on your behalf.

SUBSECTION 51(2) OF THE CODE PROVIDES THAT if the Panel makes a finding of professional misconduct, it may make an order, doing one or more of the following:

1. Directing the Registrar to revoke your Certificate of Registration.
2. Directing the Registrar to suspend your Certificate of Registration, for a specified period of time.
3. Directing the Registrar to impose specified terms, conditions and limitations on your Certificate of Registration, for a specified or indefinite period of time.
4. Requiring you to appear before the Panel to be reprimanded.

5. Requiring you to pay a fine, of not more than \$35,000.00, to the Minister of Finance.
6. If the act of professional misconduct was the sexual abuse of a patient, require you to reimburse the College for funding provided for that patient under the program required under section 85.7 of the *Health Professions Procedural Code*.
7. If the panel makes an order under paragraph 6, require you to post security acceptable to the College to guarantee the payment of any amounts the member may be required to reimburse under the order under paragraph 6.

PURSUANT TO SECTION 53.1 OF THE CODE, in an appropriate case, if the Panel finds that you committed professional misconduct or finds you to be incompetent, the Panel may make an order requiring you to pay all or part of the following costs and expenses:

1. the College's legal costs and expenses;
2. the College's costs and expenses incurred in investigating the matter; and
3. the College's costs and expenses incurred in conducting the hearing.

YOU ARE ENTITLED TO KNOW what evidence against you the College has or knows about. The disclosure of evidence obtained to date is accompanied with this Notice of Hearing. You, or your representative, may contact the lawyer for the College, Rebecca Durcan. Her contact information is as follows:

Rebecca C. Durcan
Steinecke Maciura LeBlanc
Barristers & Solicitors
401 Bay Street, P.O. Box 23
Suite 2308
Toronto, ON M5H 2Y4

Telephone: (416) 644-4783
Facsimile: (416) 593-7867
Email: rdurcan@sml-law.com

YOU MUST ALSO MAKE disclosure in accordance with section 42.1 of the *Code*, which states the following:

Evidence of an expert led by a person other than the College is not admissible unless the person gives the College, at least ten days before the hearing, the identity of the expert and a copy of the expert's written report or, if there is no written report, a written summary of the evidence.

IF YOU PREFER TO COMMUNICATE with the College in French or would like the hearing of your case to be conducted in French, then you must notify the College as soon as possible so that it can make reasonable attempts to accommodate your request.

IF YOU DO NOT ATTEND THE HEARING or if you are not represented by someone, the Panel may proceed in your absence and you will not be entitled to any further notice of the proceedings.



Date: October 16, 2023

Roderick Tom-Ying
Registrar and CEO
College of Denturists of Ontario

TO: VICTOR MINAS
c/o Mr. Pierre Champagne
Gowling WLG
2600 – 160 Elgin Street
Ottawa, ON K1P 1C3

SCHEDULE "A"
STATEMENT OF SPECIFIED ALLEGATIONS

The Member

1. Victor Minas ("the Member") has been a denturist in Ontario since approximately February 16, 1988.
2. The Member works at and/or owns and/or co-owns and/or is the founder of Smilecorp Clinic (the "Clinic").

The Client

3. It is alleged that the Member treated the Client in 2022.
4. It is alleged that:
 - a. The Member offered to lower the cost of the dentures if the Client paid the Member in cash;
 - b. The Client accepted the offer and paid approximately \$3400 in cash to the Member;
 - c. The Member did not properly communicate with the Client about the cost and payment plan for the dentures;
 - d. The Member claimed that the Client owed him an additional \$400 and/or the Member attended at the Client's home seeking payment;
 - e. The Member shared personal details with the Client including but not limited to financial and personal matters;
 - f. These disclosures made the Client uncomfortable; and/or
 - g. The Member provided dentures to the Client that did not accord with College standards.

Allegations of Professional Misconduct

5. As a result of the above, it is alleged that the Member engaged in professional misconduct pursuant to Clause 51(1)(c) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, and as set out in one or more of the following paragraphs of section 1 of Ontario Regulation 854/93 under the *Denturism Act, 1991*:
 - a. **Paragraph 2:** Failing to maintain the standards of practice of the profession; and/or
 - b. **Paragraph 47:** Engaging in conduct or performing 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.

APPENDIX

1. The documents to be tendered in evidence at the hearing have been sent with this Notice of Hearing.
2. The *Rules of Procedure of the Discipline Committee* have been sent with this Notice of Hearing.
3. Take notice that the documents that have been and may later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act* of Ontario.
4. All documents that are disclosed to you in this matter are disclosed on the basis that they are to be used solely for the purpose of this proceeding and for no other purpose.

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STEINECKE MACIURA LEBLANC

Barristers & Solicitors
401 Bay Street, Suite 2308
Toronto, ON M5H 2Y4

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Lawyers for the College of Denturists
of Ontario