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**ELECTRICAL SAFETY AUTHORITY REVIEW PANEL**

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**B E T W E E N:**

**ALBAN KUZARI and NEO ELECTRIC INC.**

**(the “Appellants”)**

**- and -**

**DIRECTOR, ELECTRICAL SAFETY AUTHORITY**

**(the “Respondent”)**

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**DECISION AND ORDER**

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Review Panel Member: Rainer Arocena

Appeal Number: NOAA 24-10

1. On July 31, 2024, the Electrical Safety Authority ("ESA") imposed an administrative penalties order ("APO") in the amount of \$3,000 against the Appellant Neo Electric Inc., pursuant to subsection 113.18.1 of the *Electricity Act, 1998* ("Act") in respect of the following contravention:

*Between April 1, 2023 and July 8, 2024, you proposed to carry out an activity referred to in the regulations under the Act as requiring an authorization, by placing an advertisement for electrical work at neoelectric.ca, contrary to ss. 113.2(1) of the Electricity Act, 1998.*

2. The same day, the ESA imposed a separate APO in the amount of \$5,000 against the Appellant Alban Kuzari, pursuant to subsection 113.18.1 of the Act, in respect of the following contravention:

*Between April 1, 2023 and July 8, 2024, you operated an electrical contracting business, Neo Electric Inc., without being the holder of an electrical contractor license, contrary to s. 3 of O. Reg. 570/05: Licensing of Electrical Contractors and Master Electricians.*

3. On August 13, 2024, both Kuzari and Neo Electric Inc. submitted Notices of Appeal in respect of the APOs.
4. On October 29, 2024, I was provided with the terms of a proposed settlement between the Appellants and the Respondent, including an agreed statement of facts and a joint request on penalty, which is attached hereto as Appendix "A" to this Order ("Settlement").
5. The parties have requested certain orders to be made on consent as part of the Settlement, which I am prepared to make.
6. By way of their request for this relief, both parties accept that I have jurisdiction to make the order sought pursuant to O. Reg 187/09 (including subsection 18(4)) and the ESA's Rules of Procedure, and I accept that I do have that authority.
7. I further conclude that the terms of the Settlement meet the "public interest test" that applies in these circumstances, and do not satisfy the high bar for rejecting a joint submission on penalty put forward by the parties. In particular, approval of the Settlement would not bring the administration of justice into disrepute, nor would it be otherwise contrary to the public interest. In reaching this conclusion, I take comfort in and rely upon the statement at paragraph 8 of the Settlement that "[s]ince being issued an administrative penalty, Neo Electric Inc. has become licensed as an electrical contractor and Kuzari has become licensed as a Master Electrician. The Appellants jointly agree that they will work to ensure that all electrical work will be conducted in compliance with all laws, regulations and codes, including the Ontario Electrical Safety Code."

8. Accordingly, on consent of the parties and at their request, I order that:

- a) The APO amount with respect to Alban Kuzari is reduced to \$2,500.00; and
- b) The APO amount with respect to Neo Electric Inc. is reduced to \$1,500.00.

9. Given that the matter has been resolved, this appeal proceeding is hereby dismissed, on a without costs basis.

Dated this October 31, 2024

(1500H)



Rainer Arocena  
Review Panel Member

REV'D 31 OCT '24  
(1500H)



155A Matheson Blvd. W.  
Mississauga, Ontario  
L5R 3L5

APO Number: AP-2025-0016 A & B  
Appeal File No.: NOAA 24-10

BETWEEN

Director,  
Electrical Safety Authority

Respondent

- AND -

ALBAN KUZARI & NEO ELECTRIC INC.

Appellants

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SETTLEMENT

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**WHEREAS** the Director appointed under Part VIII of the *Electricity Act, 1998*, S.O.1998, c.15, Sched. A, ("Act") may, by order, impose an administrative penalty against a person where a person has or is contravening a prescribed provision of Part VIII of the Act or the regulations;

**AND WHEREAS** the Director imposed, by order, an administrative penalty against the Appellant ("Order");

**AND WHEREAS** the Appellants appealed the Order to the Review Panel;

**TAKE NOTICE** that the parties have agreed to the Appellant's appeal of the Order and request that, pursuant to ss.18(4) of O. Reg. 187/09: General ("Regulation"), the Review Panel make the following order, incorporating the 'Terms or Settlement' which are attached hereto as Schedule A.

## Schedule A

APO Number: AP-2025-0016 A & B  
Appeal File No.: NOAA 24-10

BETWEEN

Director,  
Electrical Safety Authority

Respondent

- AND -

ALBAN KUZARI & NEO ELECTRIC INC.

Appellants

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### TERMS OF SETTLEMENT

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#### I. BACKGROUND

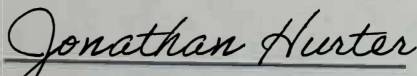
1. The Electrical Safety Authority (“ESA”), a not-for-profit organization, is a designated administrative authority under section 3 of the *Safety and Consumer Statutes Administration Act*, 1996. The ESA is tasked with the administration of Part VIII of the *Electricity Act*, 1998 (“Act”), and works to regulate and promote electrical safety in the Province of Ontario.
2. The ESA’s mandate is to undertake activities which enhance public electrical safety. The ESA does this in part through training, inspection, authorization, investigation, registration, enforcement, audit, and other regulatory and non-regulatory public electric safety quality assurance services.
3. The ESA also prosecutes offences under Part VIII of the *Electricity Act* on behalf of the Province of Ontario.
4. Pursuant to s.3 of O. Reg. 570/05: Licensing of Electrical Contractors and Master Electricians, it is an offence to operate an electrical contracting business without being the holder of an electrical contractor license.
5. Pursuant to s.113.2(1), it is an offence to propose to carry out an activity referred to in the regulations under the Act as requiring an authorization, including by advertising for electrical work, without being authorized.

II. FACTS

6. Between April 1, 2023, and July 8, 2024, Alban Kuzari ("Kuzari") operated an electrical contracting business, Neo Electric Inc., when Kuzari was not the holder of an electrical contracting licence.
7. During that same period of time, Neo Electric Inc., the electrical contracting business Kuzari was operating, also advertised electrical work on its website.
8. Since being issued an administrative monetary penalty, Neo electric Inc. has become licensed as an electrical contractor, and Kuzari has become licensed as a master electrician. The Appellants jointly agree that they will work to ensure that all electrical work will be conducted in compliance with all laws, regulations, and codes, including the Ontario Electrical Safety Code.

III. REQUEST

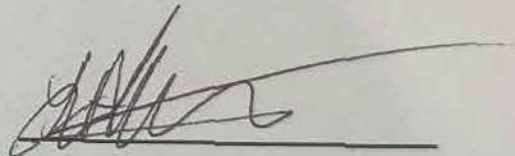
9. The Parties request that the Review Panel amend the Order on the following terms:
  - a. Reduce the administrative penalty
    - i. As against Kuzari, \$2,500.00; and
    - ii. As against Neo Electric Inc., \$1,500.
10. The Appellant acknowledges and agrees that:
  - a. It had an opportunity to consult with and be represented by counsel; and
  - b. If any of these conditions are deemed invalid, unenforceable, illegal, or a mutual mistake, such conditions shall be severed and the remaining conditions shall remain in full force and effect.



Jonathan Hurter

Legal Counsel

Electrical Safety Authority



Alban Kuzari

Neo Electric Inc.