

CITATION: Samhadana v. Toronto, 2026 ONSC 1572
DIVISIONAL COURT FILE NO.: 802/25
DATE: 20260317

**SUPERIOR COURT OF JUSTICE – ONTARIO
DIVISIONAL COURT**

RE: SHARAF SAMHADANA, Applicant

AND:

TORONTO LICENSING TRIBUNAL AND CITY OF TORONTO, Respondents

BEFORE: Matheson, Schreck and Shore JJ.

COUNSEL: *Self-Represented Applicant*

Matthew Cornett, for the City of Toronto, Respondent

Scott Nowoselski, for the Toronto Licensing Tribunal, Respondent

HEARD: March 16, 2026, in Toronto

ENDORSEMENT

[1] Saraf Samhadana has brought an application for judicial review of two decisions of the Toronto Licensing Tribunal:

- (i) the decision dated July 7, 2024, imposing a six-month suspension of the applicant's Vehicle-for-Hire (VFH) licence; and,
- (ii) the decision dated Sept. 17, 2025, revoking the applicant's VFH licence.

[2] The applicant submits that the TLT decisions are unreasonable and procedurally unfair.

[3] Vehicle for Hire or VFH drivers (taxicab and limousine drivers) must obtain a licence and comply with applicable regulations in the City of Toronto. The Municipal Licensing and Standards Division (MLS) administers the licensing system under s. 546 of the *Toronto Municipal Code*.

[4] The applicant came before the TLT to determine whether his licence should be revoked, suspended or have conditions attached because of a failure to be civil and well-behaved under Chapter 546 of the *Code*. In a three-day hearing, the TLT heard testimony from witnesses and received documentary evidence and videos.

[5] The TLT found that the applicant had failed to be civil and well-behaved toward MLS officers and staff during in-person encounters (including raising his voice and using insulting and demeaning language) and in correspondence. The TLT considered the evidence and explanations put forward by the applicant. The TLT found on the evidence that the applicant had not been provoked nor that there was a deliberate campaign to harass him, or any other conduct on the part of the MLS that justified his behaviour. The TLT found that the applicant had subjected the MLS staff to foul, insulting language, and followed them around even though they tried to disengage from him (sometimes resulting in them having to call for police assistance).

[6] The TLT took into account the hardship to the applicant if his licence was revoked and that he was suffering from stress. The TLT concluded that the applicant's licence would be suspended for six months, subject to him providing written verification that he had completed and benefitted from anger management counseling.

[7] The applicant completed the anger management program and requested a hearing to show that he had completed and benefited from the program. At that hearing, the TLT received testimony and other evidence of later events, finding that the applicant had used degrading language to insult MLS officers numerous times. The TLT found it was clear from the applicant's testimony that he did not know what it meant to be civil even after anger management counselling. Again, the TLT considered the impact of a revocation on the applicant, but, having regard for its mandate to protect the public interest, the TLT revoked the applicant's VFH licence.

[8] The applicant then commenced this application for judicial review.

[9] As a preliminary matter, the City objects to supplementary evidence that the applicant has filed with the Court on this application. That material does not meet the limited circumstances in which a party can supplement the record of proceedings as set out in *Re Keeprite Workers' Independent Union et al. and Keeprite Products Ltd.*, 1980 CanLII 1877 (ON CA) and related cases. It also appears to contain submissions about the issues and legal principles, which is not evidence. The proposed supplementary evidence is not permitted. To the extent that it includes submissions, we have considered them as if they form part of the applicant's factum.

[10] The standard of review for this application is as follows: the TLT decision must be reasonable, and the process used fair: *Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65.

[11] The applicant describes his issues in his factum as follows:

- (i) whether the TLT acted unreasonably by ignoring relevant evidence of MLS misconduct and provocation;

- (ii) whether the TLT erred in relying on demeanor-based findings and video evidence that did not result in charges;
- (iii) whether the TLT breached procedural fairness by assessing the applicant's conduct in isolation while excluding contextual evidence; and,
- (iv) whether the suspension and revocation decisions are unreasonable under the framework set out in *Vavilov*.

[12] In his oral submissions, the applicant also made submissions about the concerns that he had with the regulatory system and the economic and other differences between the regulatory system that applied to taxis and the private system when working for Uber.

[13] Having reviewed the issues and the submissions of the applicant, we conclude that the applicant's issues with the above TLT decisions mainly relate to the TLT's weighing of the evidence before it and the factual findings the TLT made based upon the evidence. The applicant relies on his testimony about provocation and the MLS conduct, submitting that the TLT did not have regard for the full context in reaching its decisions. In that regard, the applicant also submits that the TLT wrongly failed to consider the MLS's conduct. However, it is apparent from the decisions that the TLT did have regard for the applicant's evidence along with the evidence from the other witnesses and did consider the full context in making its findings.

[14] The applicant further submits that the TLT ought not to have relied on the video evidence because the MLS could not lay or sustain any charges from it. However, it is not necessary that there be the ability to lay charges or actual charges in order to accept and rely on the videos as evidence at the hearings. There was no error in relying on the videos.

[15] The applicant submits that the suspension and revocation were unreasonable because of the following: the absence of sustained charges, the role of the MLS conduct and the applicant's reliance of the licence for survival. The TLT considered all these arguments and the related evidence in making both decisions. The TLT first gave the applicant an opportunity to keep his licence, acknowledging hardship. In the second decision, the TLT considered it again but revoked the licence based on substantial evidence of events after the first decision and having regard for the public interest.

[16] The TLT decisions have the requisite degree of justification, intelligibility and transparency: *Vavilov*, at para. 100-101. The applicant has not shown they were unreasonable or that the process was unfair.

[17] The City has confirmed that the applicant may re-apply for a licence and if it is not granted may again have a hearing. It would be open to the applicant to take steps to address the issues resulting in the revocation and put forward evidence of those steps in seeking a new licence.

[18] The application is dismissed. There shall be no order as to costs.

Matheson J.

Schreck J.

Shore J.

Date: March 17, 2026