



Design Travel Ltd.

Registration #2155392 –R (Retail)

Registration #50018756–W (Wholesale)

CONDITIONS TO REGISTRATION

Whereas Design Travel Ltd. (Registration # 2155392 –R and 50018756–W) (the "Registrant") is a travel agent under the *Travel Industry Act, 2002*, ("Act") and is subject to the requirements of the Act and to Regulation 26/05 under the Act ("Regulation") (collectively, the "legislation");

AND WHEREAS a Notice of Proposal to Revoke Registration (the "Proposal") was issued by the Registrar on November 28, 2024;

AND WHEREAS the Proposal alleged that the Registrant failed to submit a financial statement or a verification statement for the 2024 fiscal year-end;

AND WHEREAS the Proposal alleged that the Registrant failed to submit two Form 1s for the six months ended June 2024;

AND WHEREAS the Registrant has addressed the deficiencies outlined in the Proposal since it was issued;

AND WHEREAS the Registrar is agreeable to resolving the Proposal;

AND WHEREAS the Registrar believes that attaching the following conditions to the registration is just in the circumstance;

THEREFORE pursuant to subsection 8(2) of the Act, the Registrant and the Registrar, in accordance with section 4.1 of the *Statutory Powers Procedure Act*, do hereby waive the requirements of a hearing and consent to an Order of the Licence Appeal Tribunal ("Consent Order") based upon the following terms and conditions:

The Registrant accepts the following conditions to its registration:

A. Conditions of Continued Registration

In addition to and without limiting the Registrant's obligation to comply with all requirements of the legislation, and in addition to and without limiting its obligation to comply with all voluntary conditions of its registration including but not limited to those undertaken at the time of its registration and/or renewal of registration, and including without limitation the

Trust Declaration, on behalf of the Registrant, undertaking to comply with its provisions, the provisions of the legislation and TICO Guidelines with respect to trust accounts and the depositing, holding and disbursement of trust funds ("Trust Declaration"), the Registrant hereby undertakes to comply with the following additional conditions of its registration:

1. The Registrant shall take care to ensure that annual Financial Statements or Verification Statements are filed with TICO in a timely manner in accordance with the applicable legislation.
 2. The Registrant shall take care to ensure that Form 1 is filed with TICO in a timely manner in accordance with the applicable legislation.
 3. The Registrant shall respond to any and all requests for information, forms or documents from the Registrar or the Registrar's designate (hereinafter "TICO staff") in a fulsome and timely manner and is responsible for ensuring that any and all Directors and Officers and Supervisor/Managers of the Registrant respond in a fulsome and timely manner. The Registrant shall respond to all requests for information, forms, or documents from TICO staff by the due date or time indicated or, if no specific due date or time is indicated, within 5 business days after the request.
 4. The Registrant shall, at all times, maintain the minimum working capital as required by section 24 of the Regulation. If based on the financial statements submitted by the Registrant, the Registrar concludes that the working capital of the Registrant is not in compliance with s. 24 of the Regulation, the Registrant shall take the necessary steps to correct its working capital position and submit proof thereof within 30 days from the request by the Registrar.
 5. In addition to and without limitation to the above, the Registrant shall comply will all requirements of the legislation applicable to the Registrant.
 6. The Registrant shall not make payments to a credit card or other credit instrument to re-imburse it for payments made to a travel supplier, unless it has been first identified to which customer the payment to be reimbursed relates to and what amounts in the Registrant's trust account relate to that customer. Payments to the credit card or other credit instrument in regard to a customer's booking must be made directly from the trust account and shall not exceed the sum of amounts held in trust for that customer and any trust surplus identified by reconciliation.
 7. The Registrant shall complete a trust reconciliation before removing any funds from its trust account(s), whether the sales relate to Ontario sales or non-Ontario sales. Only funds in the trust surplus identified by reconciliation may be removed from the trust account(s).
- B. The Registrant understands that should it fail to comply with any of the above noted conditions or any other provision of the Act or Regulation, that non-compliance and all previous non-compliance history will be taken into consideration and cited in any decision by the Registrar to take further legal or administrative action including a further Proposal to Revoke or Refuse to Renew Registration under the Act.**

REDACTED FOR
PRIVACY REASONS

- C. The Registrant hereby acknowledges and understands that nothing in these conditions restricts the right of the Registrar or the Travel Industry Council of Ontario to take further administrative or legal action, or a prosecution for an alleged offence under the Act, as appropriate, including but not limited to any administrative or legal action arising in whole or in part from any non-compliance with these Conditions. For clarity, the Registrant acknowledges and understands that a failure to comply with any provisions of the Conditions of Continued Registration above may result in issuance of the Notice of Proposal to Revoke Registration.
- D. The Registrant and the undersigned on behalf of the Registrant acknowledge they have read, understand and will comply with the entirety of this document including but not limited to the Conditions of Continued Registration.
- E. The Registrant and the undersigned on behalf of the Registrant hereby acknowledge that they have been informed of their right to independent legal advice.

REDACTED FOR PRIVACY REASONS

Name: ENRIQUE GABRIEL VILLAGRA
Position: PRESIDENT & CEO
Design Travel Ltd.
(TICO Registration #2155392 – R;
#50018756 – W)

☒ "I have the authority to bind the Corporation" (please check)

Date: DECEMBER 10, 2024

**REDACTED FOR
PRIVACY REASONS**

Dorian Werda
Registrar, *Travel Industry Act, 2002*
Date: December 11, 2024