ONTARIO REGISTERED PSYCHOTHERAPISTS DISCIPLINE TRIBUNAL

Citation: *College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario v. Hamouche,* 2026 ONRPDT 11
Date: September 14, 2026
Tribunal File No.: 26-004-RP

BETWEEN:

College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario

College

- and -

Zeina Hamouche

Registrant

FINDING AND PENALTY REASONS

Heard: July 15, 2026

Panel:
Sophie Martel (panel chair)
Shelley Briscoe-Dimock (registered psychotherapist)
Jason King* (public)
Kenneth Lomp (registered psychotherapist)
Kevin Sack (public)

*Mr. Jason King was initially a member of the panel but was unable to participate in the reasons process. The remaining panel members give the decision pursuant to s. 4.4 of the *Statutory Powers Procedure Act*.

Appearances:
Emily Graham, for the College
Zeina Hamouche, not present or represented

RESTRICTION ON PUBLICATION

Pursuant to Rule 2.2.2 of the HPDT Rules of Procedure and ss. 45-47 of the Health Professions Procedural Code, no one shall publish or broadcast the names of patients/clients or any information that could identify clients or disclose clients' personal health information or health records referred to at a hearing or in any documents filed with the Tribunal. There may be significant fines for breaching this restriction.

Introduction

[1] Zeina Hamouche, a registrant in the Qualifying class (who has not yet completed all requirements to transition to full independent practice), failed to respond to College inquiries and failed to attend an oral caution ordered by the Inquiries, Complaints and Reports Committee (ICRC).

[2] This was one of two referrals heard by this panel, one after the other, on July 15, 2026. The registrant did not participate in these proceedings. The reasons in the other referral are reported at *College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario v. Hamouche*, 2026 ONRPDT 10.

[3] Relying on deemed admissions pursuant to a request to admit, we concluded that the registrant committed professional misconduct by contravening standards of practice of the profession, failing to comply with an order of a panel of the College, failing to appear before a panel of the ICRC to be cautioned, failing to respond to written inquiries from the College, and engaging in conduct that was disgraceful, dishonourable or unprofessional.

[4] We have ordered that the registrant's certificate of registration be revoked and that she pay $4,700 in costs within a month of the release of these reasons.

Proceeding in the registrant's absence

[5] The registrant was provided with the notice of hearing and all other related documents. She has not participated in the discipline process. In a case management direction (CMD) dated June 18, 2026 (corrected on June 24, 2026), the Tribunal Chair concluded that the registrant was not entitled to further notice of this proceeding and that the College did not need to continue to deliver documents to her. The CMD notes the College's extensive efforts to send documents to the registrant by email, regular and registered mail, and attempts at personal service. The Tribunal Chair was satisfied that the registrant had actual notice of the proceeding and had decided not to participate. She was evading personal service and not responding to all other communications sent to her such that the College should not be required to continue to incur costs to locate the registrant or send documents she would ignore.

[6] In these circumstances, we proceeded without the registrant's participation.

Request to admit

[7] Rule 12.3 of the Tribunal's Rules of Procedure provides for requests to admit. It states that a party may deliver to the other party a request to admit, asking the other party to admit the truth of facts or the authenticity of documents for the purposes of the Tribunal proceeding (Rule 12.3.1). It may not be delivered less than 30 days before the hearing (Rule 12.3.8). A party who fails to respond to the request to admit within 30 days after delivery is deemed for the purposes of the Tribunal proceeding to admit the truth of the facts or the authenticity of the documents (Rules 12.3.2 and 12.3.3). A party who received a request to admit and who does not attend the hearing, is also deemed to admit the facts or the authenticity of the documents (Rule 12.3.4).

[8] A request to admit generally enhances the efficiency of proceedings by narrowing the factual and legal issues in dispute. It can be particularly useful when, as in this case, a registrant is non-responsive. By requesting a non-responsive registrant to admit facts and documents, the College avoids having to prepare for a fully contested hearing, which includes securing the attendance of witnesses. This in turn avoids the time and costs of scheduling and convening a lengthy hearing.

[9] Rule 12.3.7 states that a request to admit may only be delivered where the other party, after receiving notice, has not indicated any intention to participate in the proceeding, or the Tribunal has given permission. In this case, the registrant has not indicated any intention to participate in the proceeding. She has not attended any of the case management conferences, nor has she communicated with the Tribunal, the College and the College's counsel.

[10] The College served its request to admit multiple times in multiple ways. On April 2, 2026, it sent the request to admit to the registrant's email address on file with the College. She had previously used this email address to communicate with the College during the investigation. The email did not bounce back as undeliverable. On May 4, 2026, the College mailed the request to an address the College believes is the registrant's current home address. The letter was not returned to the sender. On June 4, 2026, the College served the registrant with its motion materials in respect of its motion not to have to send her any further documents. These motion materials included the request to admit. The motion materials were sent to the registrant by email and mail at all known addresses, past and present, for the registrant.

[11] We accept that the registrant was served with the request to admit.

[12] The registrant did not respond to the request to admit and failed to attend the hearing. In these circumstances, we accept that the registrant is deemed to admit the truth of the statements and the authenticity of the documents contained in the request to admit for the purposes of this proceeding.

Deemed admissions

[13] The registrant obtained a certificate of registration from the College on May 26, 2021, in the Qualifying class.

[14] On June 26, 2025, the ICRC considered a Registrar's investigation regarding two areas of concern: the registrant's possible breach of boundaries with a client and his spouse, and an allegation that the registrant had falsified a College document.

[15] The ICRC referred the boundary violation matter to the Discipline Tribunal. This referral is addressed in our reasons on the other application heard the same day as this application. Regarding the possible falsification of a College document, the ICRC panel ordered that the registrant attend a caution. While the panel believed that the allegation was serious enough to be referred to the Discipline Tribunal, it also believed that the evidence was insufficient to support a finding of professional misconduct. The ICRC panel concluded that it would address its concerns with the registrant's conduct and governability through an oral caution.

[16] On June 30, 2025, the College sent the ICRC decision to the registrant at her email address on file with the College. The registrant had previously used this email address to communicate with the College during the investigation of the other matter referred to discipline.

[17] On July 15, 2025, the College notified the registrant by email of the date and time that the oral caution would take place. The email also provided her with the videoconference link for the caution and instructions regarding her participation in the caution. The email asked the registrant to confirm her attendance and confirm that she would have access to a computer and webcam for the caution. The registrant did not respond to this communication.

[18] On August 6, 2025, the College sent the registrant another email confirming the date and time of the caution and advising that her attendance at the caution was required. The email also requested that the registrant confirm receipt of the email. The registrant did not respond to this communication.

[19] The caution was convened as scheduled on August 25, 2025, at 2:00 p.m. The registrant did not attend. The College unsuccessfully attempted to reach her by email and phone during the caution. The ICRC Chair concluded the caution in the registrant's absence.

[20] The College subsequently commenced an investigation and prepared an investigation report, which it sent to the registrant for her response. The registrant did not respond to the College investigator.

Professional misconduct findings

[21] The registrant failed to attend the ICRC ordered caution. She also failed to respond to the College's email inquiries in which it requested that she confirm receipt of its emails and advise whether she had the required technology to properly attend the videoconference caution.

[22] We conclude that the College has established that the registrant engaged in professional misconduct under s. 51(1)(c) of the Health Professions Procedural Code, Schedule 2 to the *Regulated Health Professions Act*, 1991, SO 1991, c. 18. Specifically, in respect of s. 51(1)(c), we find that the registrant breached the following paragraphs of s. 1 of Ontario Regulation 317/12 made under the *Psychotherapy Act*, 2007, SO 2007, c. 10, Sched. R (Professional Misconduct Regulation):

- paragraph 1: contravening, by act or omission, a standard of practice of the profession or failing to maintain the standard of practice of the profession, including but not limited to the following:
    i. Standard 1.1: Responsibility Toward the College;
- paragraph 47: failing to comply with an order of a panel of the College;
- paragraph 48: failing to appear before a panel of the ICRC to be cautioned;

- paragraph 50: failing to reply appropriately and within 30 days to a written inquiry or request from the College;

- paragraph 52: engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional; and

- paragraph 53: engaging in conduct that would reasonably be regarded by members as conduct unbecoming a member of the profession.

[23] The standard on a registrant's responsibility toward the College requires, among other things, that registrants reply appropriately and within 30 days to a written inquiry or request from the College, and that they comply with orders of a committee or panel. The registrant did not fulfil her professional responsibilities toward the College, as set out in this standard and paragraphs 47, 48 and 50 of s. 1 of the Professional Misconduct Regulation.

[24] The role of the College is to regulate the profession of psychotherapy in the public interest by ensuring that registrants provide health services in a safe, professional and ethical manner. To fulfil this mandate, the College requires that registrants respond promptly to its inquiries and that they comply with orders. The registrant ignored her responsibilities, thereby jeopardizing the College's ability to protect the public and maintain public confidence in the profession. Registrants of the psychotherapy profession would reasonably regard this conduct as unbecoming, in addition to disgraceful, dishonourable or unprofessional.

Penalty

[25] The College seeks revocation of the registrant's certificate. The College provided notice to the registrant in advance of the hearing that it would be seeking revocation. The College does not request that we order a reprimand. Given the registrant's lack of participation in this proceeding, it is of the view that a reprimand would not serve any useful purpose to supplement the revocation order.

[26] The College submits that the registrant is ungovernable. In addition to the registrant's failure to comply with an ICRC order and to respond to the College's

inquiries, the registrant did not participate in the investigation and the discipline process. She did not respond to the request to admit and did not appear at the hearing. She also did not complete her annual renewal form, nor pay her annual registration fee for the years 2025 and 2026.

[27] The College submits that the registrant's disregard of her regulator is such that only revocation will protect the public and instil confidence in the College's ability to regulate the profession of registered psychotherapists. The registrant has not tendered any evidence of mitigation. The College submits that her misconduct in this case and her failure to participate in the discipline process show that the registrant is not willing to be governed by the rules put in place to protect the public, particularly people who seek psychotherapy.

[28] Ungovernability in the context of a regulated health professional has been defined as a "pattern of conduct that demonstrates that the member is unprepared to recognize his or her professional obligations and the regulator's role." It does not just relate to a prior disciplinary record but occurs "when the member's present attitude to his or her governing body makes it clear that the member is unlikely to cooperate with the College in the future" (*College of Physicians and Surgeons of Ontario v. Sweet*, 2017 ONCPSD 40 at p. 17).

[29] Recently, in *College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario v. Kravetsky*, 2023 ONCRPO 3, *College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario v. Becker*, 2024 ONRPDT 7 and *College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario v. Jayatunge*, 2024 ONRPDT 8, panels have found registrants to be ungovernable and ordered the revocation of their certificates of registration where the registrants ignored College communications and failed to participate in discipline proceedings.

[30] The misconduct and the registrant's non-participation in the disciplinary process show a pattern of conduct that demonstrates that she is not prepared to recognize her professional obligations and the regulator's role. She did not respond to College correspondence about the caution, failed to attend the ordered caution, and then failed to participate in the ensuing disciplinary process, including evading service of documents.

[31] As indicated at the outset of these reasons, this application was one of two applications heard one after the other pertaining to this registrant. There is also no evidence in the other application of the registrant's willingness to be governed.

[32] We conclude that the seriousness of the misconduct, the absence of any evidence that the registrant is a suitable candidate for remediation, and the registrant's non-involvement in the investigation and discipline processes are such that only the revocation of her certificate of registration will protect the public and instil confidence in the College's ability to regulate the profession in the public interest.

Costs

[33] The College seeks costs of $4,700, which reflect the tariff costs and expenses of a half-day hearing as set out in the Tribunal's Rules of Procedure.

[34] This application was heard immediately after another application involving the registrant. The two applications were heard over one half-day. We have already ordered the half-day tariff rate in the other matter. In our view, it is likewise appropriate to order costs equivalent to the half-day tariff rate in this case.

[35] The costs compensate for not only hearing time, but also preparation of the College's documents, submissions and the panel's review of the documents. The registrant's failure to participate occasioned additional costs relating to the service of documents and the need for the College to file a motion for an order to dispense with further service. As a result of the registrant's non-participation, the College had to prepare a request to admit in each application. In our view, the half-day tariff rate appropriately reflects the amount of time that the College allocated to this proceeding.

Order

[36] We order:

Penalty

1. The Tribunal directs the Registrar to revoke the registrant's certificate of registration effective September 15, 2026 at 12:01 a.m.

Costs

2. The Tribunal requires the registrant to pay the College costs in the amount of $4,700 within one month of the date of these reasons.