

**DISCIPLINE COMMITTEE OF THE ROYAL COLLEGE OF DENTAL SURGEONS OF
ONTARIO**

Citation: Royal College of Dental Surgeons of Ontario v. Tse, 2026 ONRCDSO 8

Date: 2026-04-21

File No.: 24-1056

BETWEEN:

Royal College of Dental Surgeons of Ontario

-and-

Dr. Jeffrey Tse
Registration No. 52710

FINDING AND PENALTY REASONS

RESTRICTION ON PUBLICATION

In the matter of the Royal College of Dental Surgeons of Ontario and Dr. Tse the Discipline Panel ordered, under ss 45(3) of the Health Professions Procedural Code, that no person shall publish or broadcast the identity of any patients of the Registrant, or any information that could disclose the identity of any patients who are named in the Notice of Hearing and/or the Agreed Statement of Facts in this matter.

PANEL MEMBERS:

Judy Welikovitch, (Chair)
Noha Gomaa, Professional Member
Vivian Hu, Public Member
Nehal Al Tarhuni, Professional Member
Luisa Ritacca, Subject Matter Expert

APPEARANCES:

Ahmad Mozaffari, for the Royal College of Dental Surgeons of Ontario
Dr. Jeffrey Tse, Registrant (not present)

Heard: November 17, 2025, by videoconference

REASONS FOR DECISION

THE ALLEGATIONS

[1] As set out in the Notice of Hearing dated January 13, 2025, the Registrant faced four allegations of professional misconduct, arising from the Registrant's conduct in 2023 and/or 2024 in connection with the closure of his practice, Richmond Hill Orthodontics, and his treatment of his patient, FL. The allegations described below

relate to one of three separate complaints received by the College in connection with the Registrant's closure of his practice and his conduct around the closure. The Registrant did not participate in the hearings into these matters. The Panel addresses the other two complaints in separate reasons for decision. Notice of Hearing 24-1056 is appended to these reasons.

- [2] First, the College alleged that the Registrant committed professional misconduct in that he contravened a standard of practice or failed to maintain the standards of practice of the profession, contrary to paragraph 1 of Section 2 of Ontario Regulation 853/93 under the *Dentistry Act, 1991*, as amended (the "**Professional Misconduct Regulation**"). The particulars of this allegation were that the Registrant did not retain FL's clinical and financial records for at least ten years after the date of the last entry in her patient record, and that the Registrant closed his practice in or about June 2023 without transferring FL's patient records to a legally authorized successor responsible for maintaining the security of her records and giving her access to her records.
- [3] Second, the College alleged that the Registrant committed professional misconduct in that he failed to keep records as required by the regulations, contrary to paragraph 25 of Section 2 of the Professional Misconduct Regulation. The particulars of this allegation were the same as those in the first allegation.
- [4] Third, the College alleged that the Registrant committed professional misconduct in that he failed to reply appropriately or within a reasonable time to a written enquiry made by the College, contrary to paragraph 58 of Section 2 of the Professional Misconduct Regulation. The particulars were that the College made multiple written attempts to contact the Registrant in relation to FL's complaint, and that the Registrant did not respond to any of the College's written enquiries.
- [5] Fourth, the College alleged that the Registrant committed professional misconduct in that he engaged in conduct or performed an act that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, unprofessional or unethical, contrary to paragraph 59 of Section 2 of the Professional Misconduct Regulation. The particulars were that the Registrant closed his practice without notifying his patient FL and without making provision for her to access her patient records; that he did not take reasonable steps to safeguard her patient records by transferring them to an appropriate person; that he did not respond to the College's attempts to speak with him about FL's complaint; that he impeded the College's investigation by evading the College's attempts to communicate with him by email, telephone, mail and courier service; and that his conduct showed a disregard for the College's regulatory role and a pattern of ungovernability.

THE REGISTRANT'S PLEA

- [6] The Registrant was not present at the hearing and was not represented by counsel. In the absence of the Registrant, and pursuant to subsection 6.3(2) of the Discipline

Committee's Rules of Procedure, the Chair entered a plea of not guilty on his behalf with respect to each of the allegations in the Notice of Hearing.

THE EVIDENCE

- [7] The College called two witnesses at the hearing: FL, the complainant, and Dr. Jennifer Lipiec, Team Lead and Dental Consultant in the Investigations unit of the College's Professional Conduct and Regulatory Affairs department. The College also tendered a number of documentary exhibits, including an Affidavit of Kristina Formosi, sworn November 6, 2025, documenting the College's attempts to contact the Registrant, and the Certificate of the Registrar, confirming that Dr. Tse remains a member of the College but is currently suspended for non-payment of fees.

The Patient, FL

- [8] FL testified that she is 41 years old, holds a bachelor's degree, and is a licensed paralegal employed by the Law Society of Ontario. She began orthodontic treatment with the Registrant in or about the summer of 2019 at his clinic, Richmond Hill Orthodontics, located at Leslie Street and Highway 7. She had traditional braces fitted to straighten her teeth and correct her bite. The braces were in place somewhat longer than originally anticipated due to the COVID-19 pandemic, and they were removed in or about February 2021. Following the removal of her braces, the Registrant made a mold of her teeth and provided her with clear retainers. She attended follow-up appointments with the Registrant on a decreasing basis for approximately one year thereafter.
- [9] The patient testified that in or about the fall of 2023, she needed new retainers because she had ground her original ones down. She attempted to contact the Registrant's office by telephone on several occasions but was unable to reach anyone. She then attended the clinic in person and discovered that it was permanently closed. A photograph taken by FL of the dental office front door showing a sign indicating the practice was closed was entered as Exhibit 4. The patient testified that she was not notified of the closure of the practice and was not provided with any information about continuity of care or how to access her records. She did not hear from the Registrant again. She was ultimately forced to attend her regular dentist to have her teeth re-scanned and new retainers made. She was not able to obtain her records from the Registrant's office.
- [10] FL testified that she initially contacted the College seeking assistance in obtaining her records.

Dr. Jennifer Lipiec

- [11] Dr. Jennifer Lipiec testified that she has been employed by the College for approximately six and a half years, with five and a half years in her current role as Team Lead. She oversees a team of four investigators, two dental analysts, and four administrative assistants in investigating matters of professional conduct, including billing and fraud. Prior to joining the College, she was an assistant dental professor

at Tufts University and Columbia University and was also in private practice in New York City.

- [12] Dr. Lipiec testified that the College received information from members of the public regarding the Registrant and his practice, and that as a result she commenced an investigation into his abrupt practice closure and the inability of patients to obtain their records. After receiving FL's complaint, Dr. Lipiec sent the Registrant an email on October 11, 2023, seeking to make contact. No response was received. At the time, the College had information from other complainants that the practice had been permanently closed since approximately June 2023, based on online searches and a sign posted on the clinic door.
- [13] Dr. Lipiec testified that on October 17, 2023, she sent the Registrant a formal notification of the complaint and a request for a response. The Registrant did not respond to this communication and did not provide FL's records to the College.
- [14] Dr. Lipiec described the steps taken to attempt to contact the Registrant after providing notice of the complaint. She attempted to reach him by email, telephone, and courier letter using the contact information on file. The College's contact information for the Registrant was all associated with his closed practice, and no home address or personal telephone number was available. A personal email address was on file, but emails sent to that address received no response and did not appear to have been accessed.
- [15] Dr. Lipiec testified that the College learned it was possible the Registrant had opened a practice in Florida. A screenshot of the Registrant's website for his Florida practice was entered as an exhibit. The website led Dr. Lipiec to conclude that this was the same Dr. Tse, as the biography indicated that the individual had practised in Toronto for over 20 years, had the same training, and listed affiliations with the RCDSO, the Royal College of Dentists of Canada, and the Ontario Dental Association.
- [16] Dr. Lipiec testified that in mid-August 2024, she attempted to contact the Registrant at his Florida office. A Memo to File dated August 19, 2024, detailing these attempts, was entered as an exhibit. On August 15, 2024, Dr. Lipiec telephoned the Florida office and spoke with an employee named Laura, who twice attempted to transfer the call to the Registrant. On both occasions, the call was disconnected. Subsequent attempts to call back were met with automated messages indicating the number was busy or the call could not be completed. Dr. Lipiec eventually reached Laura again using a blocked number and was told the Registrant would return her call in a few minutes. The Registrant did not return the call. An email sent to the Florida office on August 15, 2024, requesting a personal email address for the Registrant, was entered as an exhibit. No response was received.
- [17] Dr. Lipiec testified that on October 24, 2024, the Registrant was sent an email advising him of the ICRC's intention to refer the matter to discipline and giving him an opportunity to make submissions. The College received no response to this

correspondence. On December 17, 2024, the ICRC decision and notification of referral to the Discipline Committee were sent to the Registrant.

- [18] Dr. Lipiec testified that the Registrant did not tell his patient that he was closing his clinic in Toronto and did not respond to any requests for contact. She testified about the requirements for recordkeeping, noting that records must be kept in a secure manner, cannot be left unattended, and must be retained for ten years from the last chart entry (or, for minors, ten years after they turn 18). The RCDSO's Dental Recordkeeping Guidelines, current as of November 2019, the Electronic Records Management Guidelines, effective March 2012, and the Practice Advisory regarding Release and Transfer of Patient Records, dated August 2007, were entered as exhibits.
- [19] In response to a question from the Panel regarding the obligations of a dentist who is closing a practice, Dr. Lipiec referred to the Practice Advisory on Release and Transfer of Patient Records and the Dental Recordkeeping Guidelines, noting the obligations to transfer records to a new owner or legally authorized successor and to maintain records appropriately. There was no evidence before the Panel that the Registrant changed ownership of his practice; it appeared that the practice simply closed.

DECISION

- [20] Having considered all the evidence, the Panel found all four allegations of professional misconduct as set out in the Notice of Hearing to have been made out.

REASONS FOR DECISION

- [21] The Panel found the evidence of both witnesses to be credible. There were no issues regarding inconsistencies or credibility. Both witnesses provided the Panel with clear evidence, much of which was corroborated by the documentary evidence filed.
- [22] With respect to the first and second allegations, the Panel was satisfied, on a balance of probabilities, that the evidence established that the Registrant contravened a standard of practice and failed to keep records as required by the regulations. The Panel accepted the College's submission that the Registrant did not retain FL's records and closed his practice without transferring her records to a legally authorized successor. The evidence established that when FL attended the clinic, it was permanently closed with a sign on the door to that effect. The Registrant's office telephone number was no longer in service. The Registrant provided no information to FL or to other patients about continuity of care or how to access records. FL was not able to obtain her records. It was open to the Registrant throughout these proceedings to provide the records or information about their whereabouts, and he failed to do so. The Panel drew the reasonable inference that the Registrant did not retain or maintain the records as required.
- [23] The Panel accepted that the RCDSO's Guidelines on Dental Recordkeeping, the Guidelines on Electronic Records Management, and the Practice Advisory on

Release and Transfer of Patient Records constitute standards of practice. The Panel noted that these documents have been treated as standards of practice in prior decisions of this Committee, including *RCDSO and Davis*, 2023 ONRCDSO 9, *RCDSO and Yarascavitch*, 2023 ONRCDSO 10, and *RCDSO and Segura*, 2023 ONRCDSO 7. The Registrant failed to retain records as required, failed to transfer records to a legally authorized successor, and failed to give FL access to her records, all in contravention of these standards.

[24] With respect to the third allegation, the Panel was satisfied, on a balance of probabilities, that the Registrant failed to reply appropriately or within a reasonable time to written enquiries made by the College. The evidence was clear that the College made extensive and persistent efforts to contact the Registrant by email, telephone, letter, and courier service over a prolonged period. The Registrant did not respond to any of these communications. When Dr. Lipiec attempted to reach the Registrant at his Florida practice, her calls were effectively deflected: the call was disconnected twice, subsequent calls were blocked, and a promised return call was never made. The courier package sent to his Florida address was refused. The Panel was satisfied that this conduct constituted a failure to reply to the College's written enquiries.

[25] With respect to the fourth allegation, the Panel was satisfied, on a balance of probabilities, that the Registrant engaged in conduct that would reasonably be regarded by members of the profession as disgraceful, dishonourable, unprofessional or unethical. The Registrant closed his practice without notifying his patient, without making provision for her continuing care, and without safeguarding her records. He then actively evaded the College's investigation by ignoring all communications and, when contacted at his Florida practice, taking steps to avoid speaking with the College's investigator. His conduct demonstrated a disregard for the College's regulatory role and a pattern of ungovernability.

PENALTY SUBMISSIONS

[26] College counsel submitted that the appropriate penalty was revocation of the Registrant's certificate of registration and a reprimand, together with costs payable to the College.

[27] College counsel submitted that being a member of the College is a privilege, not a right, and that the Registrant no longer deserves that privilege. The Registrant has demonstrated no willingness to be governed by the rules of the College and has completely abandoned his practice and his patients. He has shown no willingness to participate in the regulatory process at any stage.

[28] College counsel submitted that both specific and general deterrence support the penalty sought. The Registrant has completely ignored the College and its regulatory authority. There are no mitigating factors: the Registrant has not participated in the process at all, there were no witnesses called and there was no evidence of remorse or possible rehabilitation. The Registrant's degree of willingness to be governed is, in counsel's submission, "zero." College counsel referred the Panel to several

decisions in support of the penalty sought, including. *College of Dental Hygienists of Ontario and McIntosh*, 2024 ONCDHO 1, *College of Massage Therapists of Ontario and Spidalieri*, 2017 ONCMTO 26, and *College of Registered Psychotherapists of Ontario and Kravetsky* (2023 ONCRPO).

- [29] With respect to costs, College counsel tendered the Affidavit of Dayna Simon to support its request for an order of costs in the amount of \$10,679.51, representing approximately two-thirds of the actual legal and hearing costs incurred. Counsel submitted that the costs award is predicated on the Registrant knowing their obligations and the College's need to ensure that the public is adequately protected.

PENALTY DECISION

- [30] The Panel ordered that the Registrar be directed to revoke the Registrant's certificate of registration immediately. The Panel further ordered that the Registrant be required to appear before the Panel to be reprimanded within ninety (90) days of the Order becoming final. The Panel ordered the Registrant to pay costs to the College in the amount of \$10,679.51.

REASONS FOR PENALTY DECISION

- [31] In determining the appropriate penalty, the Panel considered the principles of specific and general deterrence, the protection of the public, the maintenance of public confidence in the profession and its regulatory process, and proportionality.
- [32] The Panel found that the Registrant has completely abandoned his practice and his patients in Ontario. He closed his practice without giving notice to his patient, without making any provision for the transfer of records or continuity of care, and without informing the College.
- [33] He then relocated to Florida and appears to be actively practising orthodontics there while ignoring all communications from the College. The Registrant refused a courier package from the College and effectively hung up on the College's investigator when she contacted his Florida office. His conduct demonstrates a total disregard for the College's regulatory authority and a pattern of ungovernability.
- [34] The Panel found no mitigating factors. The Registrant has not participated in any aspect of these proceedings. He has not offered any explanation for his conduct. There is no character evidence before the Panel and no evidence of remorse. The Registrant has demonstrated no willingness to be governed by the rules and practice guidelines of the College.
- [35] The Panel agrees with College counsel that membership in the College is a privilege and not a right, and that the Registrant has demonstrated that he no longer deserves that privilege. The public cannot have confidence that the Registrant will respect the authority of the College or comply with his professional obligations.
- [36] In these circumstances, revocation of the Registrant's certificate of registration is the only appropriate disposition. Revocation serves both the purpose of specific

deterrence, by removing the Registrant's ability to practise dentistry in Ontario, and general deterrence, by sending a clear message to the profession that this type of conduct will not be tolerated.

[37] A reprimand is also warranted to denounce the Registrant's conduct. The costs sought by the College are reasonable, representing approximately two-thirds of the actual costs incurred, and are hereby ordered.

I, Judy Welikovitch, sign these Reasons for Decision as Chairperson of this Discipline Panel.



April 21, 2026

Judy Welikovitch
Chair, Discipline Committee Panel

Date

APPENDIX

24-1056

IN THE MATTER OF a Hearing of a panel of the Discipline Committee of the Royal College of Dental Surgeons of Ontario held pursuant to the provisions of the Health Professions Procedural Code which is Schedule 2 to the *Regulated Health Professions Act, 1991*, Statutes of Ontario, 1991, Chapter 18 (“Code”) respecting one **DR. JEFFREY TSE**, of the City of Richmond Hill, in the Province of Ontario;

AND IN THE MATTER OF the *Dentistry Act* and Ontario Regulation 853, Regulations of Ontario, 1993, as amended (“Dentistry Act Regulation”).

AND IN THE MATTER OF the *Statutory Powers Procedure Act*, Revised Statutes of Ontario, 1990, Chapter S.22, as amended; 1993.

To: Dr. Jeffrey Tse
Richmond Hill Orthodontics
650 Hwy 7 East, Suite 101
Richmond Hill ON L4B 2N7

NOTICE OF HEARING

TAKE NOTICE THAT IT IS ALLEGED THAT:

1. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the *Code* in that, in 2023 and/or 2024, you contravened a standard of practice or failed to maintain the standards of practice of the profession, contrary to paragraph 1 of Section 2 of Ontario Regulation 853/93 under the *Dentistry Act, 1991*, as amended (“*Professional Misconduct Regulation*”).

Particulars:

- You did not retain FL’s clinical and financial records for at least ten years after the date of the last entry in her patient record.
 - You closed your practice, Richmond Hill Orthodontics, in or about June 2023, without transferring FL’s patient records to a legally authorized successor responsible for maintaining the security of her records and giving her access to her records.
2. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the *Code* in that, in 2023 and/or 2024, you failed to keep records as required by the regulations, contrary to paragraph 25 of Section 2 of the *Professional Misconduct Regulation*.

Particulars:

- You did not retain FL’s clinical and financial records for at least ten years after the date of the last entry in her patient record.
- You closed your practice, Richmond Hill Orthodontics, in or about June 2023, without transferring FL’s patient records to a legally authorized successor responsible for maintaining the security of her records and giving her access to her records.

3. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the *Code* in that, in 2023 and/or 2024, you failed to reply appropriately or within a reasonable time to a written enquiry made by the College, contrary to paragraph 58 of Section 2 of the *Professional Misconduct Regulation*.

Particulars:

- The College made multiple written attempts to contact you in relation to FL's complaint.
- You have not responded to any of the College's written enquiries.

4. You committed an act or acts of professional misconduct as provided by s.51(1)(c) of the *Code* in that, in 2023 and/or 2024, you engaged in conduct or performed an act that, having regards to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, unprofessional or unethical, contrary to paragraph 59 of Section 2 of the *Professional Misconduct Regulation*.

Particulars:

- You closed your practice, Richmond Hill Orthodontics, in or about June 2023, without notifying your patient FL and without making provision for her to access her patient records.
- You did not take reasonable steps to safeguard FL's patient records by transferring them to an appropriate person responsible for maintaining the security and privacy of her records and/or giving her access to her records.
- You have not responded to the College's attempts to speak with you about FL's complaint.
- You are impeding the College's investigation by evading the College's attempts to communicate with you by email, by telephone, by mail and by courier service so the College can investigate FL's concerns.
- Your conduct shows a disregard for the College's regulatory role and a pattern of ungovernability.

Such further and other particulars will be provided from time to time, as they become known.

AND TAKE NOTICE THAT the said allegations respecting professional misconduct will be heard and determined by a panel of the Discipline Committee of the Royal College of Dental Surgeons of Ontario ("panel") on a date and time to be agreed upon by the parties, or on a date to be fixed by the Chair of the Discipline Committee, at the offices of the Royal College of Dental Surgeons of Ontario, 6 Crescent Road, Toronto, Ontario, M4W 1T1, or by electronic hearing as required. You are required to appear in person or by a legal representative before the panel with your witnesses, if any, at the time and place aforesaid.

ONCE A DATE IS FIXED, IF YOU DO NOT ATTEND ON THE FIXED HEARING DATE, THE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THE PROCEEDINGS.

The *Code* provides that if a panel finds that you have committed an act of professional misconduct, it may make an order doing any 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; or any combination thereof.

Furthermore, the *Code* provides that if a panel is of the opinion that the commencement of these proceedings is unwarranted, it may make an order requiring the College to pay all or part of your legal costs.

The *Code* also provides that in an appropriate case, a panel may make an order requiring you, in the event the panel finds you have committed an act or acts of professional misconduct or finds you to be incompetent, 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.

If you have not done so already, you are entitled to and are well advised to retain legal representation to assist you in this matter.

You are entitled to disclosure of the evidence in this matter in accordance with section 42(1) of the *Code*. You or your representative may contact the prosecutor for the College, Ahmad Mozaffari, in this matter at:

Ahmad Mozaffari
Steinecke Maciura LeBlanc
401 Bay Street, Suite 2308, P.O. Box 23
Toronto, ON M5H 2Y4
Tel: 416.599.2200
email: amozaffari@sml-law.com

You, or your legal representative, should familiarize yourself with your disclosure obligations under law, including section 42.1 of the *Code*.

DATED at Toronto, this 13th day of January 2025

Royal College of Dental Surgeons of Ontario