



Motor
Vehicle Sales Authority
of British Columbia

VEHICLE SALES AUTHORITY OF B.C.

FEB 19 2009

IN THE MATTER OF THE **MOTOR DEALER ACT** **RECEIVED**
AND THE **BUSINESS PRACTICES AND CONSUMER PROTECTION ACT**

UNDERTAKING

(Section 154, Business Practices and Consumer Protection Act)

WHEREAS the undersigned is a "supplier" within the meaning of subsection 1(1) of the *Business Practices and Consumer Protection Act*;

AND WHEREAS the Registrar of Motor Dealers (the "Registrar") has reason to believe that the undersigned is contravening, is about to contravene or has contravened the *Business Practices and Consumer Protection Act* or the regulations made thereunder, namely:

- A. Whereas it is alleged Dennis Daniels engaged in a deceptive act, did terminate First Canadian Insurance Corporation contracts in the names of insured persons, accepted refund cheques at addresses controlled by Dennis Daniels and did deposit such refund cheques into bank accounts controlled by Dennis Daniels without the knowledge of the insured persons or Action Motors(1999)Ltd, Contrary to Section 9(1) of the Business Practices and Consumer Protection Act.

NOW THEREFORE the undersigned:

1. Hereby undertakes:

- (a) To surrender his Motor Vehicle Sales Authority of British Columbia Salesperson license number 106422 immediately for cancellation and forward to:

Motor Vehicle Sales Authority of British Columbia
Attention: Denis Savidan, Manager, Compliance and Investigations
#208-5455 – 152nd St., Surrey BC,
V3S 5A5:

- (b) To reimburse the Registrar for the costs of investigation, including actual legal costs, relating to the matters which are the subject matter of this Undertaking, namely:
- (i) MVSA investigation costs in the amount of \$4,684.71; and

- (ii) Provide twelve (12) postdated cheques each in the amount of \$390.39 except for the last cheque which must be in the amount of \$390.42, commencing March 1st, 2009 up to and including February 1, 2010.

2. Hereby acknowledges, represents and declares:

- (a) That Dennis Daniels has sought and obtained legal advise from Glen Nicholson of Traxler Haines, 614-1488 Fourth Avenue, Prince George BC, V2L 4Y2;
- (b) That if this Undertaking is given by two or more persons, all the persons named in the Undertaking are jointly and severally responsible for complying with the Undertaking and are jointly and severally liable for the payment of any amounts under the Undertaking.
- (c) that the undersigned has read this Undertaking and has had the opportunity to take independent legal advice as to its terms.

IN WITNESS WHEREOF the undersigned has set his hand and seal:

Name (Print): Dennis Daniels
<input type="checkbox"/> Salesperson (Licence No. 106422)
Residence Address [REDACTED]
Date: <u>JANUARY 30, 2009</u>
Signature: [REDACTED]

ACCEPTED by the Registrar this 123 day of February, 2009.

[REDACTED]
Registrar

Form approved January 16, 2008

VEHICLE SALES AUTHORITY OF B.C.

FEB 19 2009

RECEIVED