

SEP 20 2010

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Motor  
Vehicle Sales Authority  
of British Columbia

Previously known as the Motor Dealer Council of British Columbia

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

**UNDERTAKING**

**(Section 154, Business Practices and Consumer Protection Act)**

VSA File: 09-70539

**WHEREAS** the undersigned Auto Canada Northtown Auto GP Inc. A General Partner of Northtown Auto LP, DBA Northland Chrysler Jeep Dodge 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 an employee of this supplier may have contravened the *Business Practices and Consumer Protection Act* or the regulations made thereunder, namely:

It is alleged that the employee did not fully explain to a consumer, Bernie Elsom, the contents of a Motor Vehicle Purchase Agreement dated July 18, 2007 related to the purchase by the consumer of a 2006 Chevrolet 1500 VIN 2GCEK13TX61118873. The consumer alleges he did not fully understand the documents and when the consumer asked for an explanation the dealership's employee may have declined his request.

**AND WHEREAS** the undersigned is desirous of resolving this matter without the need for any formal adjudication of the above allegation.

**AND WHEREAS**, the undersigned has agreed to pay and has paid the consumer Bernie Elsom \$7,500.00.

**THE UNDERSIGNED** has instituted the following procedures to minimize any occurrence of the subject matter of this undertaking:

1. Ensure each consumer receives a clear and verbal explanation of the contents of all sales documents to be signed by the consumer.
2. The Dealership will implement a specific disclosure statement acceptable to the MVSA, and offer to use it in all retail vehicle sales transactions, which by its terms will have the customers confirm they fully understand the transaction.
3. Ensure that even after conducting the procedures listed in 1 and 2 above, if the consumer advises that they are still unclear or do not understand the documents, the undersigned will provide the consumer an opportunity to have a relative, friend or independent person explain any documents to the consumer prior to the consumer signing the contract. (AutoCanada currently exploring internal control procedures which would involve a person independent from the sales transaction being available to review transaction with consumer when necessary or questionable as to consumer's ability to fully understand the transaction.)

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NOW THEREFORE the undersigned:


1. Hereby undertakes:

- (a) To ensure all employees comply with the *Business Practices and Consumer Protection Act* and the regulations made there under; and
- (b) To adopt the procedures referred to in 1, 2 and 3 above to ensure that all consumers receive a clear explanation of the contents of all documents required to be signed.

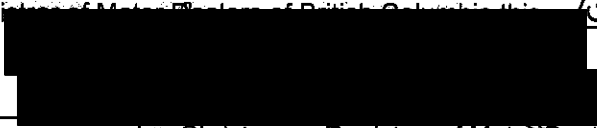
**FUTHERMORE**, the undersigned has agreed to reimburse the Registrar a total of \$5,562.97 for inspection/investigation and legal costs relating the subject matter of this Undertaking,

**THE UNDERSIGNED** hereby acknowledges, represents and declares that they have each read this Undertaking and have had a reasonably opportunity to obtain independent legal advice as to its terms.

**IN WITNESS WHEREOF** the undersigned (and each of them, if more than one) has set his/her/its hand and seal (attested by the hands of its duly authorized officers, if applicable):

Name: Northtown Auto LP, by its general partner Auto Canada Northtown Auto GP Inc., DBA Northland Chrysler Jeep Dodge Dealer # 30541 1995 - 20 <sup>th</sup> Avenue, Prince George, BC V2L 5R7	
Date: <u>September 17 2010</u>	
Signature: 	Title: General Manager
Brent Marshall	

ACCEPTED by the Registrar of Motor Dealers of British Columbia this 20 day of September 2010



Ian Christman - Registrar of Motor Dealers

*Not a draft d.c.*