



Motor
Vehicle Sales Authority
of British Columbia

Previously known as the Motor Dealer Council of B.C.

**IN THE MATTER OF THE MOTOR DEALER ACT R.S.B.C. 1996 c. 316
and the Salesperson Licensing Regulation B.C. Reg. 241/2004.**

RE:

**SHIU MING (MICHAEL) HO
Salesperson Licence # 100274**

UNDERTAKING

WHEREAS Shiu Ming (Michael) Ho, salesperson licence # 100274, (the "Salesperson") is a "salesperson" as defined under the *Motor Dealer Act* R.S.B.C. 1996 c. 316 (the "Act").

AND WHEREAS the Motor Dealer Council of British Columbia dba the Motor Vehicle Sales Authority of British Columbia is the "authority" as defined in the Act (the "Authority") and is responsible for the licensing of "salespersons" under the *Salesperson Licensing Regulation* B.C. Reg. 241/2004 (the "SL Regulation").

AND WHEREAS the "Registrar of Motor Dealers", as defined under the Act, (the "Registrar") is responsible for the administration and enforcement of the Act, its regulations and prescribed provisions of the *Business Practices and Consumer Protection Act* S.B.C. 2004 c. 2 and is an authorized representative of the Authority.

AND WHEREAS the Authority has initiated an investigation involving the Salesperson's conduct in accordance with sections 6 and 7 of the SL Regulation.

AND WHEREAS the Salesperson acknowledges that:

1. Sometime between April 6, 2010 and July 9, 2010, Shiu Ming (Michael) Ho became aware of James Lee accessing Brian Jessel BMW customer information stored on One-Eight Corp's CRM system without permission or authorization, using Sze Wai Lam's user name and password.

AND WHEREAS the Salesperson wishes to resolve these issues voluntarily, without a hearing, by entering into this Undertaking.

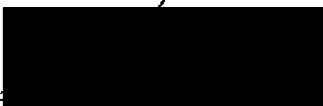

THE SALESPERSON HEREBY UNDERTAKES AND AGREES TO:

- 1) Pay \$1,000 to the Motor Vehicle Sales Authority towards its investigation and hearing costs.

THE SALESPERSON ACKNOWLEDGES THAT:

- 1) This Undertaking is being entered into by the Salesperson voluntarily.
- 2) The Salesperson has had an opportunity to obtain legal advice as to the terms of this Undertaking.
- 3) The Authority will make it a condition of the Salesperson's licence to abide by and carry out the terms of this Undertaking.
- 4) The Authority will take steps to monitor and enforce this Undertaking. Enforcement can include, but is not limited to, court action to obtain a compliance order, or the suspension or cancelation of the Salesperson's licence.

IN WITNESS WHEREOF the undersigned has set his/her hand:

Salesperson's Name: Shiu Ming (Michael) Ho	
Signature: _____	
Date: <u>15 MAY</u> , 2012.	

ACCEPTED by the Authority, through its authorized representative, this 22 day of May 2012.



Ian Christman – Registrar of Motor Dealers or his delegate

The Motor Vehicle Sales Authority of B.C.
(formerly known as the Motor Dealer Council of B.C.)
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