



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 Files: 12-70426

WHEREAS the undersigned Traveland Liesure Vehicles Ltd. DBA Traveland RV Supercentre #9588, Shaun Wesley Howes (Salesperson #102540), Christopher William Clarke (Salesperson #112979) and Craig Giesbrecht (Salesperson #102733) are each 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 supplier is contravening is about to contravene or has contravened the *Business Practices and Consumer Protection Act* (BPCPA) or the regulations made thereunder, namely:

Section 5(1) BPCP: (Sections 4(1) and 4(3)(a)(i to viii) 4(3)(b)(i to ix) and/or 4(3)(c)(i to iii).

Specifically:

#1

On or about the 18th day of May 2012 at or near Langley in the Province of British Columbia, Traveland Leisure Vehicles Ltd. DBA Traveland RV Supercentre(Motor Dealer), Shaun Wesley Howes (Sales Person#102540), Christopher William Clarke (Sales Person#112979) and Craig Giesbrecht (Sales Person#102733) did in relation to a consumer transaction contravene sections 4 and 5 of the Business Practices and Consumer Protection Act (BPCPA) by making an oral, written, visual, descriptive or other representation or conduct by the Supplier to a consumer that had the capability, tendency or effect of misleading Joanne Johnson ("the Consumer") in the purchase of a 2008 Forest River Trailer, VIN 4X4TWCA278T009778 ("the Motor Vehicle) specifically the Suppliers: Sold the Consumer the Motor Vehicle and represented it to be of a particular standard, quality and condition. The Suppliers at the time of the sale represented the Motor Vehicle as serviceable and suitable for habitation to the consumer and the Supplier ought to have known that the Motor Vehicle was not of a particular standard, quality and condition.

#2

On or about the 18th day of May 2012 at or near Langley in the Province of British Columbia, Traveland Leisure Vehicles Ltd. DBA Traveland RV Supercentre (Motor Dealer), Shaun Wesley Howes (Sales Person #102540), Christopher William Clarke (Sales Person #112979) and Craig Giesbrecht (Sales Person #102733) did in relation to a consumer transaction contravene sections 4 and 5 of the Business Practices and Consumer Protection Act (BPCPA) by making an oral, written, visual, descriptive or other representation or conduct by the Supplier to a consumer that had the capability, tendency or effect of misleading Joanne Johnson ("the Consumer") in the purchase of a 2008 Forest River Trailer, VIN 4X4TWCA278T009778 ("the Motor Vehicle") specifically the Suppliers: Indicated to the consumer that the purchase of Insurance and Warranty products were required to obtain financing for the Motor Vehicle.

AND WHEREAS Traveland Leisure Vehicles Ltd. DBA Traveland RV Supercentre is desirous of resolving this matter without the need for any formal adjudication of the above allegations.

AND WHEREAS Traveland Leisure Vehicles Ltd. DBA Traveland RV Supercentre will immediately resolve the consumer monetary complaints by unwinding the transaction and making the consumer whole to the satisfaction of the consumers and the Registrar.

AND WHEREAS Traveland Leisure Vehicles Ltd. DBA Traveland RV Supercentre has completed a system review of its operations and made procedural changes satisfactory to the Registrar.

NOW THEREFORE Traveland Leisure Vehicles Ltd. DBA Traveland RV Supercentre #9588, Shaun Wesley Howes (Salesperson #102540), Christopher William Clarke (Salesperson #112979) and Craig Giesbrecht (Salesperson #102733) each undertakes:

- a) To comply with the *Business Practices and Consumer Protection Act* and the regulations made there under;
- b) To ensure all material facts are disclosed to consumers prior to purchase of any motor vehicle;


AND THEREFORE the undersigned


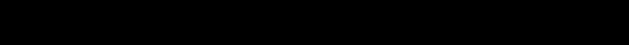
- a) Traveland Leisure Vehicles Ltd. DBA Traveland RV Supercentre undertakes to reimburse the Registrar a total of \$3,664.29 for inspection/investigation and legal costs relating to the subject matter of this Undertaking; and

THE UNDERSIGNED hereby acknowledges, represents and declares that he or she has read this Undertaking and has had a reasonable opportunity to obtain independent legal advice as to its terms.

THE UNDERSIGNED further hereby acknowledges that the availability of an undertaking to resolve any future similar allegations or contraventions may be unavailable; and that any similar allegations may be reviewed by the Registrar of Motor Dealers at a formal hearing to consider the allegations.

IN WITNESS WHEREOF the undersigned has set his hand:

Name: Traveland Liesure Vehicles Ltd. DBA Traveland RV Supercentre
Signature  Date: 04 February 2013
Dale Howes (Owner)

ACCEPTED by the Registrar of Motor Dealers of British Columbia this 4 day of February 2013


Ian Christman - Registrar of Motor Dealers