



## **UNDERTAKING**

### **IN THE MATTER OF THE *MOTOR DEALER ACT* R.S.B.C. 1996 c. 316 and the *BUSINESS PRACTICES AND CONSUMER PROTECTION ACT* S.B.C. 2004, c. 2**

THIS UNDERTAKING is made with an effective date of February 1, 2016

Between

Sulehr Motors Limited (Dealer #31095) (the "Dealer")

And

The Registrar, Vehicle Sales Authority of B.C. (the "Registrar")

#### **WHEREAS:**

1. Sulehr Motor Limited (the "Dealer") is a "registered motor dealer" as defined under the *Motor Dealer Act* R.S.B.C. 1996 c. 316 (the "Act").
2. 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 (the "BPCPA")
3. The Registrar has received and investigated a complaint from a consumer who claims that:
  - i. The Dealer did not disclose that there was an outstanding lien on a motor vehicle that the Dealer sold to the complainant;
4. As a result of the investigation, the Registrar found:
  - i. J&J Autobody (unlicensed) sold motor vehicles on behalf of the Dealer to consumers;
  - ii. Unlicensed salesperson Nadeem Mansoorah sold motor vehicles to consumers on behalf of the Dealer;
  - iii. Unlicensed salesperson Senan Baho sold motor vehicles to consumers on behalf of the Dealer; and
  - iv. Unlicensed salesperson Nabeel Mansourah sold a motor vehicle on behalf of the Dealer.

5. The Registrar asserts that the Dealer has contravened the following provisions:

- i. Section 2(2) of the *Salesperson Licensing Regulations* B.C. Reg. 241/2004; and
- ii. Sections 4 and 5 of the BPCPA.

**NOW THEREFORE** the Dealer undertakes, acknowledges, and agrees with the Registrar:

6. To comply with all provisions of the BPCPA and its Regulations;
7. To pay to the Registrar the sum of \$110.99 which are the costs for investigating this matter, by March 30, 2016.
8. To pay an Administrative Penalty in the amount of \$5,500 in relation to the issues covered in this Undertaking.
9. That this Undertaking is binding on the Dealer until such time as it is either terminated in writing by the Registrar or terminated by Order of the Supreme Court of British Columbia.
10. That in addition to rendering the Dealer liable to further penalties and proceedings as provided for under the BPCPA, it is an offence under the BPCPA to fail to comply with any part of this undertaking that has not been previously terminated.
11. That the Registrar, may upon breach of any part of this undertaking by the Dealer declare the Undertaking to be at an end and may institute such proceedings and take such action under the BPCPA, or the *Motor Dealer Act* as considered necessary.
12. That any communication with the Registrar in connection with this undertaking shall be made to the following

Registrar of Motor Dealers  
Vehicle Sales Authority of B.C.  
#208 – 5455 152 Street  
Surrey, B.C. V3S 5A5  
Fax: (604)-574-5883

And in the case of the Dealer to the following address:

#B – 5711 Byrne Road, Burnaby, B.C. V4C 5H2

unless another address for delivery is given to the other party, in writing, by either the Registrar or the Dealer.

13. The Dealer acknowledges and warrants that they have had an opportunity to seek legal advice as to the terms of this Undertaking.

**DATED** this 3 day of MARCH, 2016

  
Sulehr Motors Limited

**ACCEPTED** by the Registrar of Motor Dealers this  
3 day of March, 2016.

  
Ian Christman  
Registrar of Motor Dealers or his delegate