



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 December 6, 2016

Between

Mainland Ford Ltd. (Dealer #40139)

And

The Registrar, Vehicle Sales Authority of B.C.

WHEREAS:

1. Mainland Ford Ltd. (Dealer #40139) (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 investigated the Dealer after it was discovered through completing a routine inspection that the Dealer:
 - Failed to disclose fees in vehicle advertisements; and
 - Charged extra fees to consumers that were not disclosed.
4. The Registrar asserts that the Dealer has contravened the following provisions of the BPCPA:
 - i. 4(1)(a) of the BPCPA. An oral, written, visual descriptive, or other representation by a supplier that has the capability, tendency or effect of deceiving or misleading a consumer or guarantor;
 - ii. 4(3)(c) of the BPCPA. A representation by a supplier about the total price of goods or services.

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

1. To comply with all provisions of the BPCPA and its Regulations.
2. To reimburse DONNA EWART the undisclosed \$1,050 administration fee and \$699 fuel fee for a total of **\$1,749**.
3. To reimburse VERNON ION the undisclosed \$1,195 administration fee and \$595 license fee for a total of **\$1,790**.
4. To reimburse GARFIELD BAKER the undisclosed **\$1,398** administration fee.
5. To reimburse DEMI VELOSO the undisclosed \$1,500 administration fee and \$600.43 PPSA fee for a total of **\$2,100.43**.
6. To reimburse DOMINICA KIRIZOPOULOS the undisclosed **\$1,398** administration fee.
7. To reimburse MATTHEW LICKERS the undisclosed \$899 administration fee, \$500 licence fee, and \$588.21 bank finance fee for a total of **\$1,987.21**.
8. To reimburse CESARIO BELTRAN the undisclosed \$699 administration fee and \$225 licence fee for a total of **\$924**.
9. To reimburse TAO LI the undisclosed \$899 administration fee and \$150 fuel fee for a total of **\$1,049**.
10. To reimburse JUSTIN HENDRY the undisclosed \$899 administration fee and \$150 fuel fee for a total of **\$1,049**.
11. To pay an Administrative penalty in the amount of \$10,000.00.
12. To reimburse the investigation costs in the amount of \$801.45.
13. To review six months of records of advertising and to compensate all consumers who have been charged fees that were not advertised by the dealer. Record of these transactions and payments are to be supplied to the Registrar within 45 days of signing this undertaking.

This review is to be completed by a designated Accountant employed by the Dealer or an outside Accounting agency and is subject to review by the Registrar.

14. To review the policy in relation to advertising and to have all employees sign off on the policy and provide the Registrar the policy and sign off within 45 days of signing this document.
15. To affix proper additional charges to the vehicle pricing on the lot to include the documentation fee and accessories/extras.

16. To ensure the total price advertised includes all fees and accessories on the vehicle.
17. 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.
18. 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.
19. 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 Act as considered necessary.
20. 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:

14530 104th Avenue, Surrey, B.C. V3R 1L9

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

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

DATED this 6th day of December, 2016

Dealer Name: MAINLAND FORD

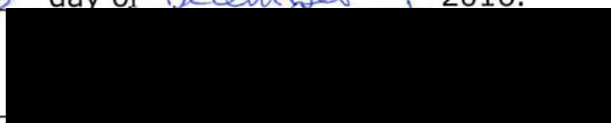
MIKE TRETMAN

(Print the name and title of Dealer's authorized representative)

Signature: _____



ACCEPTED by the Registrar of Motor Dealers this 6 day of December, 2016.



Ian Christman
 Registrar of Motor Dealers or his delegate