



**UNDERTAKING**

**IN THE MATTER OF THE *MOTOR DEALER ACT*, RSBC 1996 c 316 and the  
*BUSINESS PRACTICES AND CONSUMER PROTECTION ACT*, SBC 2004, c 2**

**THIS UNDERTAKING** is made jointly and severally

**BETWEEN**

Abbotsford Prestige Auto Collection Inc. (Dealer#31227)  
and  
Ramandeep Sidhu (SP#120378)  
(collectively, the "**Respondents**")

**AND**

The Registrar of Motor Dealers  
(the "**Registrar**")

**WHEREAS:**

1. Abbotsford Prestige Auto Collection Inc. (Dealer#31227), (the "**Prestige Auto**"), is a motor dealer as defined under the *Motor Dealer Act*, RSBC 1996 c 316 ("**MDA**").
2. Ramandeep Sidhu, (SP#120378) ("**SP Sidhu**") was at all material times a "salesperson" as defined in section 1(1) of the MDA.
3. The Registrar, as defined under the MDA, is responsible for the administration and enforcement of the MDA, its regulations, and prescribed provisions of the *Business Practices and Consumer Protection Act*, SBC 2004 c 2 (the "**BPCPA**").
4. The Registrar has received a complaint from a consumer who claims that:
  - a. He purchased a 2007 GMC Sierra, (the "**Sierra**") from Prestige Auto on January 12, 2018, and dealt solely with SP Sidhu during the transaction;
  - b. Prior to purchasing the Sierra, SP Sidhu represented to him that it had an odometer reading of 265,000 km. This information was also written on the Transfer Tax Form by SP Sidhu;
  - c. On February 19, 2019, he attended Applewood Kia in Langley ("**Kia**") to trade the Sierra in for a newer one. Kia refused to accept the Sierra as a trade-in

due to a Carfax report which indicated that the Sierra had an actual odometer reading of 394,000 km;

- d. When he discovered the discrepancy in the odometer reading, he tried to contact SP Sidhu but was unsuccessful; and
  - e. Prestige Auto recently resolved the complaint with him by buying back the Sierra.
5. Further review of this complaint by the Vehicle Sales Authority ("**VSA**") has determined that:
- a. SP Sidhu failed to provide the consumer with an accurate Purchase Agreement that makes the necessary statutory declarations as required by the *Motor Dealer Act Regulation, BC Reg 447/78* ("**MDAR**"); and
  - b. SP Sidhu failed to provide a proper vehicle transaction file to the VSA when requested to do so as part of this investigation.
6. In addition to the complaint noted above, the VSA was contacted by the Insurance Corporation of British Columbia ("**ICBC**") on January 8, 2020, advising that it had become aware that Prestige Auto fabricated a copy of its ICBC dealer plate and affixed it to a vehicle owned by Prestige Auto which was being driven by SP Sidhu's family member.
7. This was noted when SP Sidhu's family member was stopped by an RCMP officer and issued a violation ticket for driving without valid insurance due to the fabricated dealer plate. SP Sidhu confirmed the violation ticket had been paid.
8. The Registrar asserts that Respondents have contravened the following legislation:
- a. Section 25(1) of the MDA for failing to provide the VSA with a dealer file when requested;
  - b. Section 20 of the MDAR for failure to maintain a dealer file including a purchase agreement and record of material reconditioning by Prestige Auto;
  - c. Section 21(1) and (2) of the MDAR for failing to include the prescribed mandatory information in the purchase agreement;
  - d. Section 23 of the MDAR for failing to disclose, to the best of the Respondents' knowledge and belief, whether the odometer of the vehicle accurately recorded the true distance traveled by the vehicle and whether the vehicle had sustained damages requiring repairs that exceeded \$2,000;
  - e. Code of Conduct provisions at Section 33 (2)(a) and (d) of the MDAR for failing to act with honesty and integrity and for failing to provide a prompt response to the consumer's inquiries;

- f. Code of Conduct provisions at Section 33 (2)(i)(ii) of the MDAR for causing a person to contravene the *Motor Vehicle Act* by fabricating a copy of its ICBC dealer plates for use by another person; and
- g. Section 4(3)(b)(vi) of the BPCPA for engaging in deceptive acts or practices and failure to state a material fact;

**NOW THEREFORE** the Respondents undertake, acknowledge, and agree with the Registrar:

1. To comply with the MDA, BPCPA, and the regulations made thereunder.
2. To have the following conditions applied to SP Sidhu's salesperson license from the date of issuance for a period of not less than six (6) months:
  - a. That SP Sidhu retake the VSA Salesperson course at his own cost within three (3) months of signing this Undertaking;
  - b. That SP Sidhu provide a current Carfax report for all vehicles in Prestige Auto's inventory to any prospective purchaser; and
  - c. For each completed transaction, SP Sidhu must provide the purchaser with a copy of the current Carfax report for the subject vehicle and include a copy of the current Carfax report in the dealer file.
3. To reimburse the Registrar a total of **\$993.93** representing 100% of the investigation costs incurred to date in relation to the subject matter of this Undertaking within thirty (30) days of the Registrar's signing of this Undertaking;
4. That this Undertaking is binding on the Respondents until such time as it is either terminated in writing by the Registrar or terminated by Order of the Supreme Court of British Columbia;
5. That in addition to rendering the Respondents liable to further penalties and proceedings as provided for under the BPCPA, it is an offense under the BPCPA to fail to comply with any part of this Undertaking that has not been previously terminated; and
6. That the Registrar may, upon breach of any part of this Undertaking by Prestige Auto or SP Sidhu, declare the Undertaking to be at an end and may institute such proceedings and take such action under the BPCPA, or the MDA and its regulations as considered necessary.
7. Any communication with the Registrar in connection with this Undertaking shall be made to the following address:

Registrar of Motor Dealers

Vehicle Sales Authority of B.C.  
#280 – 8029 199<sup>th</sup> Street  
Langley, B.C. V2Y 0E2

8. And in the case of the Respondents, to the following address:

2454 W Railway St.  
Abbotsford, BC V2S 2E4

Unless another address for delivery is given to the parties, in writing, by either the Registrar, Prestige Auto or SP Sidhu.

9. The Respondents acknowledge and warrant that they have had an opportunity to seek legal advice as to the terms of this Undertaking.

**DATED** this 16 day of May 2022.

**Abbotsford Prestige Auto  
Collection Inc. (Dealer#31227)**

**Ramandeep Sidhu  
(SP#120378)**

Signature

Signature

Authorized Signatory Name:

Withheld in accordance with Section 22 of FOIPPA

**ACCEPTED** by the Registrar of Motor Dealers this 8th day of June 2022.

"Original signed"

\_\_\_\_\_  
Kenneth Affleck, Q.C.  
Registrar of Motor Dealers