

**IN THE MATTER OF THE MOTOR DEALER ACT, RSBC 1996 c 316 and the MOTOR  
DEALER CUSTOMER COMPENSATION FUND REGULATION BC REG 102/95, OC  
271/95**

FILED BY:

**Cheche Chidi-Ogbaji**

Claimant

INVOLVING:

**Titanium Autogroup Ltd.  
Dealer Licence 40484 /Cancelled**

Motor Dealer

**DECISION OF THE MOTOR DEALER CUSTOMER COMPENSATION FUND BOARD**

By way of written submissions

[1] On April 2, 2026, the claim for compensation from the Motor Dealer Customer Compensation Fund (the "**Fund**") was filed by the Claimant and presented to the Motor Dealer Customer Compensation Fund Board (the "**Board**") for hearing.

**Decision**

[2] This claim has been approved for \$6,405.00, which will be paid to the Claimant from the Fund.

**Claim Summary**

[3] The Claimant alleges:

[4] On March 27, 2025, the claimant purchased a 2016 Dodge Challenger (the "**Challenger**") from Titanium Autogroup Ltd (the "**Motor Dealer**") for \$36,000.00.

[5] As part of the purchase, the claimant purchased a Global Warranty, ( "**Global**") Extended Warranty (the "**Warranty**") for the sum of \$6,405.00

[6] The claimant was informed by Global that there was no Warranty in place, because it was cancelled due to non-payment from the Motor Dealer.

[7] The Claimant is seeking reimbursement from the Fund of the full amount paid for the Warranty, \$6,405.00.

**Legislative Authority and the Board's Findings**

[8] The Board reviewed the documents on file, copies of which were provided to the Claimant and the Motor Dealer at the pre-hearing stage and to which both parties had an opportunity to respond. The documents included:

a. Demand to Motor Dealer;

- b. Claim Application;
- c. Compensation Fund Report; and
- d. Investigation Cost Recovery Invoice

[9] The Board established that all the criteria required to apply for compensation from the Fund have been met.

[10] In reviewing the eligibility of the Claimant's alleged loss for compensation from the Fund, the Board applied Section 5(1)(b) of the *Motor Dealer Customer Compensation Fund Regulation* (the "*Regulation*") that outlines the losses that may be compensable from the Fund with respect to the purchase of an extended warranty:

*"5(1) The following losses are eligible for compensation from the fund:*

*(b) with respect to the purchase of an extended warranty or service plan, the loss of the unexpired portion of the warranty or plan resulting from the bankruptcy, insolvency, receivership or other failure of the motor dealer;"*

[11] The Board found evidence that:

- the Claimant paid for the Warranty to the Motor Dealer;
- the Motor Dealer did not remit payment for the Warranty to Global in a timely fashion and then went out of business;
- the Claimant did not get the Warranty they purchased; and
- the Claim is for a liquidated amount.

[12] The Board concluded that this claim is eligible for compensation. In determining the amount of compensation, the Board determined that it equals the amount the Claimant paid to the Motor Dealer for the warranty: \$6,405.00.

### **Compensation Payment to Claimant**

[13] The VSA will send the Claimant a cheque for \$6,405.00 within 60 days from the date of the hearing - on or before **June 1, 2026**.

[14] If the Board decides to reconsider its decision before that time, the payment will be withheld until completion of the reconsideration procedures.

### **If Additional Compensation is Received by the Claimant**

[15] According to Section 20 of the *Motor Dealer Act* (the "*MDA*"), the Claimant has an obligation to advise the Vehicle Sales Authority of BC (the "*VSA*") if the Claimant receives additional compensation from another source for the loss paid from the Fund. For instance, if an insurance company also awards the claimant compensation for the same loss paid from the Fund, the Claimant must advise the VSA immediately about that compensation. Failure to repay the Fund may be a cause of legal action against the Claimant for the amount unrepaid.

### **Investigation cost recovery by the VSA**

[16] Pursuant to Section 22(b) of the *MDA*, costs incurred in investigating claims against the Fund must be paid from the Fund.

[17] The Board reviewed the VSA Investigation Cost Recovery Invoice for this claim - Invoice # 25021. The Board approved the invoiced investigation costs in the amount of

\$221.75 for recovery by the VSA from the Fund.

**Reimbursement to the Fund by the Motor Dealer**

[18] According to Section 24 of the *MDA*, if a claim is paid out of the Fund, the motor dealer who caused the claim must reimburse the Fund for the amount paid out of the Fund for the claim. The Registrar of Motor Dealers may cancel the dealer licence of the motor dealer who caused the claim if the Fund is not repaid.

[19] The VSA Licensing Department will take action regarding repayment to the Fund by Titanium Autogroup Ltd.

**Finality of Decision**

[20] Decisions of the Board cannot be appealed. According to Section 16(2) of the *MDA*, "A decision, order or ruling of the Board ... is final and conclusive and is not open to question or review in court except on a question of law or excess of jurisdiction".

[21] Reconsideration: According to Sections 16(2), 18.1 and 18.2 of the *MDA*, the Board may, at its discretion, reconsider its decision. The Board will consider a request for reconsideration from a party to a claim, provided that the request is made in writing and includes relevant evidence that was not previously considered by the Board and was not known or available to the party before the hearing. All parties to a claim will be notified if the Board decides to reconsider its decision. An application for reconsideration must be made in writing within 30 days of the decision.

Date: May 15, 2026

***Motor Dealer Customer Compensation Fund Board***

Per:

/Original is signed/

Mary Childs, Board Chair

*Attachment*  
*MC/ds/ag*