

Claim No.: C-25-03-316
Neutral Citation: 2026-BCMDCCFB-048

**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:

Sina Goldoust Fard

Claimant

INVOLVING:

**Drivehive Superstore White Rock
Dealer Licence 41372/Cancelled**

Motor Dealer

DECISION OF THE MOTOR DEALER CUSTOMER COMPENSATION FUND BOARD

By way of written submissions.

[1] On June 17, 2026, the claim for compensation from the Motor Dealer Customer Compensation Fund (the "**Fund**") filed by the Claimant was presented to the Motor Dealer Customer Compensation Fund Board (the "**Board**") for hearing.

Decision

[2] This claim has been denied.

Claim Summary

[3] The following are the allegations of the Claimant:

[4] On January 4, 2025, the Claimant purchased a 2012 Mercedes-Benz E350 (the "**Mercedes**") from the Motor Dealer.

[5] As a part of the purchase, the Claimant also purchased an Extended Warranty (the "**Warranty**") issued by Global Warranty ("**Global**").

[6] After taking delivery and inspecting the Mercedes, the Claimant discovered several issues including engine problems, noisy brakes and the tires making a sound when turning. The interior was also damaged and a door panel was broken.

[7] The salesperson assured the Claimant that the issues would be covered by the Warranty.

[8] On January 20, 2025, the claimant transferred ownership of the Mercedes to Bitu Goldoust Fard.

[9] On February 28, 2025, Global cancelled the Warranty because the Motor Dealer failed to remit payment. Global has refused to reinstate the Warranty.

[10] The Claimant is seeking compensation from the Fund in the amount of \$19,001.01 which represents the full cost of vehicle including the Warranty.

Legislative Authority and the Board's Findings

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

- a. Demand to Motor Dealer;
- b. Claim Application;
- c. Claim Investigation Report;
- d. Investigation Cost Recovery Invoice.

[12] When considering the eligibility of the Claimant's alleged loss, the Board applied *Section 4* of the *Regulation* which states:

" (4) Who may apply for compensation?

(a)purchases from a registered motor dealer

(i) a motor vehicle to be used primarily for personal or family use, or

(ii) an extended warranty or service plan in respect of such a vehicle, or

(b) delivers a motor vehicle to a registered motor dealer for sale by the motor dealer as an agent on commission, and who suffers an eligible loss referred to in section 5, may apply for compensation from the fund."

[13] The Board found that the claim is not compensable for compensation because there is insufficient evidence to persuade the Board of a number of factors including the identity of the person who suffered the loss and the amount paid to the Motor Dealer. There is no evidence of a liquidated amount.

[14] The Board can only deal with claims that fall within the specific terms of the *Regulation*. Claimants may have other legal remedies available to them and are encouraged to do their own investigations into other possible remedies. Attached is the Vehicle Sales Authority of BC (the "VSA") Fact Sheet *Where to go for help*.

Investigation Cost Recovery by the VSA

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

[16] The Board reviewed the VSA Investigation Cost Recovery Invoice for this claim - Invoice #25316. The Board approved the invoiced investigation costs in the amount of \$867.48 for recovery by the VSA from the Fund.

Reimbursement to the Fund by the Motor Dealer

[17] 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 and the investigation costs. The Registrar of Motor Dealers may cancel the dealer licence of the motor dealer who caused the claim if the Fund is not repaid.

[18] Since this claim is denied, the investigation costs will not be charged to Drivehive Superstore White Rock.

Reconsideration

[19] 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: July 28, 2026

Motor Dealer Customer Compensation Fund Board

/Original is signed/

Mary Childs, Board Chair

Attachment
MC/ds