

**IN THE MATTER OF *THE MOTOR DEALER ACT*, R.S.B.C. 1998, c.316 and  
*THE SALESPERSON LICENSING REGULATION*, B.C. Reg. 16/2019**

BETWEEN:

**THE VEHICLE SALES AUTHORITY OF BRITISH COLUMBIA**

**THE AUTHORITY**

AND:

**NATHANIEL BRUCE**

**RESPONDENT/SALESPERSON**

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**DECISION OF THE REGISTRAR OF MOTOR DEALERS  
RE: APPLICATION FOR RECONSIDERATION/APPLICATION FOR ORAL HEARING**

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**Date and location of decision: April 9, 2026, at Langley, British Columbia**

**By way of written submissions**

**Counsel for the Authority: Claudia Arrietta**

**Appearing on his own behalf: Nathaniel Bruce**

## I. Introduction

1. On March 11, 2026, the Authority's Manager of Licensing Hong Wong wrote to Nathaniel Bruce by email to advise him that conditions had been added to his salesperson's license ("the Decision"). The reason for the Decision was succinctly stated by Mr. Wong as a result of Mr. Bruce "currently being investigated for misrepresentations as a Finance Manager." Mr. Wong continued, "While the allegations are yet to be proven, they are sufficiently serious to warrant conditions being added to your license to ensure consumer protection."
2. In addition to the information set out above, Mr. Wong attached to his email a "Notice of Condition" which set out the conditions to be added to Mr. Bruce's license and he provided Mr. Bruce with information as to how he could seek reconsideration of the Decision. The Notice of Condition indicates that the conditions were added pursuant to section 6(3) of the *Salesperson Licensing Regulation* ("SLR") and included the following:
  1. Nathaniel Bruce cannot be employed in the Finance Office of any Motor Dealer;
  2. While employed by a Motor Dealer, Nathaniel Bruce may not act as a loan broker as defined in the *Business Practices and Consumer Protection Act*, or in any way act on behalf of consumers to obtain or facilitate financing, including a lease, in respect of a vehicle purchase; may not act as a loan broker as defined in the *Business Practices and Consumer Protection Act*, or in any way act on behalf of consumers to obtain or facilitate financing, including a lease, in respect of a vehicle purchase;
  3. Nathaniel Bruce, while employed by a Motor Dealer, may not handle any consumer monies.
  4. Nathaniel Bruce, while employed by a Motor Dealer, must not be unsupervised while acting as a salesperson;
  5. Any vehicle transactions facilitated by Nathaniel Bruce must be reviewed by and signed off by a senior manager of the dealership who is not a relative of his.

6. Nathaniel Bruce must, within two (2) days of the date of these conditions, provide a copy of these conditions to any Motor Dealer with whom he is currently employed;

7. Nathaniel Bruce must notify the Authority prior to any change in his employment in any capacity with any Motor Dealer;

8. Nathaniel Bruce, prior to commencing employment with a Motor Dealer, provide a copy of these conditions to the Motor Dealer; and

9. Nathaniel Bruce, within two (2) days of commencing employment with a Motor Dealer, provide the Authority with proof, the sufficiency of which will be determined by the Authority, that he has complied with paragraph 8 above.

10. Nathaniel Bruce may request to have some or all of the above conditions removed by sending a written request to hong@vsabc.ca after September 11, 2026.

### **III. Mr. Bruce's position**

3. Mr. Bruce wrote to Mr. Wong on March 11, 2026 to request that the Decision be reconsidered. In his email, Mr. Bruce raised a number of arguments related to the underlying investigation referenced by Mr. Wong. For example, Mr. Bruce refers to the nature of the subject transaction, the lack of a vehicle sale and he further questions the application of the *Motor Dealer Act* ("MDA") and the limits on the Authority's investigative jurisdiction.

4. After receiving Mr. Bruce's reconsideration request, I invited him to provide any supplementary submissions, adding that his request was guided by sections 26.11 and 26.12 of the MDA. In response, Mr. Bruce provided the following submissions:

- a. The subject transaction involved the refinancing of an existing loan in relation to a vehicle owned by a consumer and to obtain additional funds to consolidate other debts. There was no vehicle purchase, sale, transfer of ownership or trade-in;
  - b. As there was no vehicle purchase, sale, transfer of ownership or trade-in related to the subject transaction, there were questions as to the application of the *Motor Dealer Act* and the VSA's investigative authority;
  - c. The concerns arising from the Authority's investigation relate to documentary issues as opposed to deceptive conduct;
  - d. There was no intention to mislead the customer in question who signed the refinancing documentation;
  - e. Any lack of clarity in the financing documentation was a result of administrative oversight which has since been resolved by way of the implementation of clearer documentation practices; and
  - f. The conditions placed on Mr. Bruce's license restricts his ability to perform the duties associated with his role in both sales and finance.
5. In addition to his submissions, Mr. Bruce provided the following documentary evidence in support:
- a. A "Delivery Checklist/Due Bill" dated November 14, 2024 and referred to by Mr. Bruce as a "Promise Sheet";
  - b. A "Legacy Cars Bill of Sale" dated November 14, 2024;
  - c. A "Legacy Cars Understood Received Documents" dated November 14, 2024;
  - d. A CIBC Conditional Sales Contract dated November 14, 2024; and

- e. A VSA Consumer Complaint Form against Legacy Auto Group and Mr. Bruce dated as received May 15, 2025.
6. On April 7, 2026, Mr. Bruce submitted a separate request for an oral hearing in this matter pursuant to Rule 30.4 of the *Registrar's Rules of Practice and Procedure* ("the Rules"). Mr. Bruce argues in support of his request as follows:
- a. The imposition of the conditions violated his right to procedural fairness and that he was not given a meaningful opportunity to respond;
  - b. The evidence relied on by the Authority was not disclosed to him prior to the Decision being made;
  - c. There are factual disputes that require examination through oral evidence;
  - d. The conditions materially affect his ability to earn a living;
  - e. He has had previous involvement with Alan Mullen, the Authority's Director of Investigations and Licensing; and
  - f. There are jurisdictional concerns, specifically that the subject matter of the underlying complaint is outside of the scope of the MDA.

#### **IV. Authority position**

- 7. The Authority opposes Mr. Bruce's request for reconsideration arguing that there is no new evidence that has become available or that has been discovered that is substantial and material to the Decision and that did not exist at the time of the decision or did exist but was not discovered and could not through the exercise of reasonable diligence have been discovered.
- 8. The Authority takes no position in response to Mr. Bruce's application for an oral hearing in this matter.

## **V. Legal Principles**

### **a. Mode of hearing**

9. Rule 30 provides that hearings will be by way of written submissions unless otherwise ordered by the Registrar under Rule 30.4 which permits the Registrar to order an oral hearing after consideration of the following factors:
  - a. whether there is a disagreement in the evidence that requires examination and cross-examination of the parties or any witnesses under oath or affirmation,
  - b. whether the allegations are such that a licensee may be in jeopardy of having their licence revoked,
  - c. whether an oral hearing is preferable to ensure fairness in the process,
  - d. the balance of convenience and the cost to the parties and the VSA in having an oral hearing,
  - e. any factor that will affect the fair, timely and cost-effective resolution, and
  - f. the circumstances of the particular issues.
10. Mr. Bruce carries the burden of proof in an application under Rule 30.4.
11. Section 26.11(3) of the MDA requires that a person seeking reconsideration of a determination must make their request in writing and identify the error the person believes was made or the other grounds for which reconsideration is requested. Following that written request, the Registrar may only vary or cancel a determination if satisfied that new evidence has become available or has been discovered that is substantial and material to the determination and that did not exist at the time of the review or did exist at the time but was not discovered and could not through the exercise of reasonable diligence have been discovered.

12. In other words, the MDA specifically provides that initial stage of the reconsideration analysis is to be in writing. The applicant must establish an evidentiary basis as described in section 26.12(2) of the MDA. If that fails, the matter is at an end and there is no new hearing. If it is successful, the applicant may then seek an oral hearing under Rule 30.4.
13. While Mr. Bruce requests an oral hearing pursuant to the Rules, this tribunal's authority is ultimately governed by its enabling legislation. To the extent that the Rules contemplate a procedure that is not authorized by, or is inconsistent with the MDA, they cannot be applied so as to expand the tribunal's jurisdiction or procedural authority beyond what the Legislature has prescribed. The tribunal has no discretion to make an order that would contradict or circumvent the clear requirements of the governing statute, and any such ruling would be beyond its jurisdiction. This is reflected by Rule 2(1) which provides that where a Rule conflicts with the MDA, the MDA will apply.
14. After having considered the matter, Mr. Bruce's application for an oral hearing in this matter is denied on the basis that it conflicts with the MDA. As such it is not necessary for me to consider whether the factors listed in Rule 30.4 have been met.

**b. Request for reconsideration**

15. As noted above, the Decision was authorized by section 6(3) of the SLR which provides that "the Authority may, on written notice to a licensed salesperson, do either of the following:
  - (a) remove a condition imposed on the licensee's salesperson licence under subsection (1) or (2);
  - (b) impose on the licensee's salesperson licence a condition described in subsection (1) or (2).
16. Section 6(2) of the SLR permits the Authority to impose "any other condition necessary for the Authority to ensure that it is not contrary to the public interest for the licensee to be licensed as a salesperson".

17. The MDA provides for a right of reconsideration where a decision is made to impose or alter conditions on a license: section 26.11(1)(b)(iii) MDA. Section 26.12(2) of the MDA provides as follows:

(2) The registrar may vary or cancel a determination only if the registrar is satisfied that new evidence has become available or has been discovered that

(a) is substantial and material to the determination, and

(b) did not exist at the time of the review or did exist at the time but was not discovered and could not through the exercise of reasonable diligence have been discovered.

18. The process to be followed in a reconsideration application was described by Registrar Christman in *Re: Salame* (20-11-012, August 25, 2021):

[8] The *functus officio* principle is a common law principle which may be modified by legislation. Since the *Fryer* decision, the Legislature has provided for a right to reconsider the revocation of a salesperson's licence: sections 26.11 and 26.12 of the Motor Dealer Act ("MDA").

[9] A reconsideration of Mr. Salame's salesperson licence must follow the process prescribed by those sections. Importantly, the Registrar may not cancel or vary a prior decision unless there is new evidence which is substantial and material and may alter the original decision. Sub-section 26.12(2) of the MDA states:

(2) The registrar may vary or cancel a determination only if the registrar is satisfied that new evidence has become available or has been discovered that

(a) is substantial and material to the determination, and

(b) did not exist at the time of the review or did exist at the time but was not discovered and could not through the exercise of reasonable diligence have been discovered.

[10] Therefore, the process adopted has been for the Registrar to review submissions and the evidence provided to see if they meet this statutory requirement for new evidence. If it does not, then proceeding with a reconsideration hearing is moot as the Registrar would be without legal authority to cancel or vary the original decision.

19. The evidentiary requirement described in *Salame* was confirmed by Acting Registrar Hunter in *Re: Gazloff*, (H-25-02-002, May 22, 2025):

4. I agree with the Authority that legal standard for reconsideration requires the applicant to file new evidence that did not exist or was not reasonably discoverable at the time of the determination from which reconsideration is sought and which may substantially and materially alter the original determination: *Re: Imad Abdullah Rashid* 2019 BCRMD 012 at para. 13.

20. My task on this application therefore is to determine whether Mr. Bruce has submitted new or newly discovered evidence that did not exist or was not reasonably discoverable at the time of the determination and which may substantially and materially alter the original determination. If there is, then a full reconsideration hearing will proceed. If there is not, I am without legal authority to reconsider the Decision.

## **VI. Discussion**

21. Mr. Wong, acting in his delegated authority, was authorized under the SLR to make the Decision. While there is no appeal of the Decision, it is open to Mr. Bruce to seek its reconsideration. To be successful, he must meet the evidentiary requirements as set out in section 26.12(2) of the MDA and as described in the *Salame* and *Gazloff* decisions.

22. As noted above, Mr. Bruce's arguments reference the underlying investigation that ultimately led to the Decision being made. He adds that the conditions impair his ability to perform his employment duties. He has also provided the five additional documents as evidence in support of his submissions.

23. The Authority relies on the affidavit of Mr. Wong sworn March 27, 2026. Mr. Wong deposes that Mr. Bruce is the subject of an investigation by the Authority arising out of a consumer complaint received on May 15, 2025 (“the Complaint”) which alleges that Mr. Bruce, while acting in his capacity as a finance manager, made false representations in documentation related to a consumer transaction. No finding has been made with respect to these allegations and the investigation of the Complaint is ongoing.
24. Mr. Wong states that he is advised that on March 11, 2026, Mr. Bruce met with three Authority staff members at its offices – Mr. Mullen, Manager of Investigations Tim Gallo and Investigations Officer Joel Jordan. At that meeting, Mr. Bruce was advised of the Complaint and the allegations against him. Mr. Wong says that he is advised by Mr. Mullen that Mr. Bruce brought the five documents referenced in paragraph 5 above with him to the March 11, 2026 meeting and that Mr. Wong considered these prior to imposing the conditions on Mr. Bruce’s license.
25. The evidence submitted by Mr. Bruce was considered by Mr. Wong prior to the Decision being made. In that respect, the evidence relied upon here by Mr. Bruce is not new evidence that has become available or that has been discovered. It is therefore not necessary for me to consider whether the evidence is substantial and material to the determination and did not exist at the time of the review or did exist at the time but was not discovered and could not through the exercise of reasonable diligence have been discovered.

## **VII. Conclusion**

26. Mr. Bruce’s request for reconsideration does not meet the requirements of section 26.12 of the MDA and as such it is dismissed. I am without legal justification to order a reconsideration hearing in relation to the Decision.
27. Mr. Bruce’s application for an oral hearing in this matter is also dismissed.

**VIII. Right of Review of Decision**

28. There is no right of reconsideration of a decision not to reconsider a determination:  
s.26.12(4) MDA.

29. As the decision not to order an oral hearing is not a determination as defined in the MDA,  
there is similarly no right of reconsideration of that decision.

30. This decision may be reviewed by petition to the BC Supreme Court pursuant to the  
*Judicial Review Procedure Act* within 60 days of receiving this decision: section 7.1 of the  
MDA and section 57 of *the Administrative Tribunals Act*.

Signed this 9th day of April, 2026

"Original signed"



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Patrick Poyner  
Registrar of Motor Dealers