

**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:

**MICHAEL TEREZAKIS
(License No. 206483)**

APPLICANT/SALESPERSON

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

Date and location of decision: June 12, 2026, at Langley, British Columbia

By way of written submissions

Counsel for the Authority: Claudia Arrietta

Counsel for the Respondent/Salesperson: Jenson Leung

I. Introduction

1. Michael Terezakis is a salesperson, licensed by the Authority under license number 206483. On May 21, 2026, the Authority's Director of Investigations and Licensing Alan Mullen wrote to Mr. Terezakis to advise him that conditions had been added to his salesperson's license ("the Decision") by the Authority.
2. In his email, Mr. Mullen describes the basis upon which the conditions were added as follows:

The VSA is investigating a number of transactions brought by way of a report a concern. It is alleged that you engaged in deceptive acts and/or misrepresentations as a sales/finance manager. While the allegations are yet to be proven, they are sufficiently serious to warrant conditions being added to your license to ensure consumer protection.

3. Attached to Mr. Mullen's email was a Notice of Licensing Condition ("the Notice") which set out the conditions to be added to Mr. Terezakis' license. The Notice indicates that the conditions were added pursuant to section 6(3) of the *Salesperson Licensing Regulation* ("SLR") and included the following:

1. Michael Terezakis cannot be employed in the Finance Office of any Motor Dealer, cannot train, mentor, supervise or oversee any other person in a Finance Office role at any Motor Dealer;

2. While employed by a Motor Dealer, Michael Terezakis 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; and cannot oversee any person acting in the capacity of a Loan Broker at any Motor Dealer;

3. Michael Terezakis, while employed by a Motor Dealer, may not handle any consumer monies;

4. Michael Terezakis, while employed by a Motor Dealer, must not be unsupervised while acting as a salesperson;
5. Any vehicle transactions facilitated by Michael Terezakis must be reviewed by and signed off by a senior manager of the dealership who is not a relative of his;
6. Michael Terezakis 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;
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7. Michael Terezakis must notify the Authority prior to any change in his employment in any capacity with any Motor Dealer;
8. Michael Terezakis, prior to commencing employment with a Motor Dealer, provide a copy of these conditions to the Motor Dealer; and
9. Michael Terezakis, 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.

II. Positions of the Parties

4. Mr. Terezakis initially sought a stay of the imposition of the conditions, relying on section 7.1(1)(l) of the *Motor Dealer Act* ("MDA") and the *Business Practices and Consumer Protection Act* ("BPCPA") generally, while also raising procedural fairness concerns. Mr. Terezakis subsequently retained legal counsel who advised that he would be seeking reconsideration of the Decision pursuant to sections 26.11 and 26.12 of the MDA.
5. Counsel for Mr. Terezakis argues that the conditions were imposed based on allegations of deceptive acts and/or misrepresentations without a hearing and without disclosure of evidence in support of the allegations. He further argues that reconsideration is warranted on the basis that new evidence has been submitted by Mr. Terezakis in the form of a statutory declaration sworn May 28, 2026.

6. The Authority takes no position with respect to Mr. Terezakis' application.

III. Legal Principles

7. The MDA is consumer protection legislation and it should be read, interpreted and applied in such a manner. It has several regulations to it including the SLR which provides guidance as to the required content of license applications, renewal, suspension and cancellation of licenses and the imposition of conditions on licenses by the Authority.
8. When imposing conditions under the SLR, the Authority has broad discretion as to the nature of the conditions and it must provide notice of the conditions to the affected salesperson: s. 6(3)(b) SLR.
9. While notice of the conditions is required, the affected salesperson does not have a right to be heard or otherwise participate in the process that leads to the conditions being imposed. The only opportunity for a hearing under the SLR is where the Authority seeks suspension or cancellation of a license. If a salesperson disagrees with conditions, it may seek reconsideration under the MDA. In that respect, Mr. Terezakis has not been denied procedural fairness. It is open to him to seek reconsideration of the Decision under the MDA.
10. In this case, the Decision was made pursuant to section 6(3) of the SLR which authorizes the Authority to 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).
11. 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".

12. Section 26.12(2) of the MDA sets out the test that an applicant must meet prior to a “determination” being varied or cancelled on reconsideration:

(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.

13. Section 26.11(1)(b)(iii) defines “determination” as including a decision to impose or alter conditions on a license. As such, the Decision constitutes a determination for the purposes of the MDA and reconsideration may be sought by an applicant.

14. In *Re: Rashid* (19-04-003, August 29, 2019), Registrar Christman addressed the approach to be taken in a reconsideration request as follows:

[14] Given this legal requirement for there to be “new evidence” that may substantially and materially alter the original decision, the Registrar has adopted the following approach in reviewing a request for reconsideration:

(a) The submitted evidence is reviewed to see if it meets the legislative test as being “new evidence”, as that term is defined in the legislation, and

(b) If under (a), there is “new evidence”, an assessment is made to determine if that new evidence may substantially and materially alter the original determination(s), if it were accepted as true, in consideration of the grounds of the request.

15. As noted by Registrar Christman in *Re: Salame* (20-11-012, August 25, 2021), if the statutory requirements are not met, then proceeding with a reconsideration hearing is moot as the Registrar lacks the legal authority to vary or cancel the determination.
16. My task on this application therefore is to determine whether Mr. Terezakis has submitted new or newly discovered evidence that did not exist or was not reasonably discoverable at the time of the Decision and which may substantially and materially alter the Decision.

IV. Analysis

a. Has new evidence become available or been discovered?

17. As noted above, Mr. Terezakis has provided a statutory declaration in support of his application. The evidence included in that declaration is summarized as follows:
- (a) He was employed by Legacy Auto Sales Inc. (“Legacy”) as its General Manager between January 2023 and September 8, 2025 and in that role, he was responsible for the day-to-day retail sales operations of the dealership and “provided strategic direction and deal metrics internally to Legacy’s salespeople who negotiated directly with the buyers.” Mr. Terezakis says that he did not communicate with consumers directly.
 - (b) Legacy’s backend financing duties and the structuring of finance terms were handled by its finance manager. Mr. Terezakis did not review the substance of individual transactions or financing but rather reviewed completed “deal pouches” to ensure that they were aligned with Legacy’s policies.
 - (c) Sub-prime teams operated on Legacy’s premises but were independent contractors who ran their own businesses under the control of Legacy’s owner. Mr. Terezakis denied having any control over the sub-prime contractors’ day to day operations or knowledge over their business operations.
 - (d) Mr. Terezakis denies engaging in any deceptive acts or misrepresentations as alleged by the Authority.

(e) Mr. Terezakis states that he is currently unemployed and that the conditions on his license are preventing him from gaining employment. Mr. Terezakis has not provided any specific examples or details of how the conditions have impacted on his employment opportunities.

18. In response, the Authority has provided an affidavit sworn by Mr. Mullen in which he confirms that Mr. Terezakis is the subject of an investigation concerning alleged deceptive acts and/or misrepresentations that he engaged in as a sales/finance manager. No further particulars of the alleged contraventions are provided. Mr. Mullen deposes that he did not meet with Mr. Terezakis prior to adding the conditions to his license and that he did not review or consider the evidence included in Mr. Terezakis' statutory declaration prior to adding the conditions.

19. Given Mr. Mullen's evidence, I find that the evidence included in Mr. Terezakis' statutory declaration constitutes new evidence.

b. Is the new evidence substantial and material to the determination?

20. In considering the new evidence, I am not required to decide whether it serves to disprove the allegations that underlie the Decision. All I must decide is whether the new evidence, if accepted as true, may substantially and materially alter the Decision: *Rashid, supra*. If the evidence is found to be trivial, unreliable or irrelevant, it is open to the tribunal to find that it is not substantial and material and the analysis is at an end.

21. As noted previously, the allegations that underlie the Decision are general in nature and lack particulars. All that is known is that the Authority alleges that Mr. Terezakis engaged in deceptive acts and/or misrepresentations while acting as a sales/finance manager. There is no indication as to when this occurred or the dealership Mr. Terezakis was employed by at the applicable time. In response, Mr. Terezakis has provided evidence as to his background with Legacy, his day-to-day responsibilities there and his lack of involvement with the dealership's financing practices. Further, it is Mr. Terezakis' evidence that Legacy employed another individual as its finance manager during his tenure there.

22. Given the lack of particulars of the alleged contraventions and having considered Mr. Terezakis' evidence as to his role and day-to-day responsibilities at Legacy, including the fact that Legacy employed someone other than Mr. Terezakis as a finance manager, I am satisfied that the new evidence may have substantially and materially altered the Decision.

c. Did the new evidence not exist at the time of the review or did it exist but was not discoverable?

23. The final stage of the analysis requires consideration of the following question:

- (a) whether the new evidence did not exist at the time the determination was made; or
- (b) whether the new evidence did exist at the time the determination was made but was not discovered and could not, through the exercise of reasonable diligence, have been discovered.

24. I pause again to note that the process by which conditions are imposed on a license is to a certain extent one-sided insofar as the salesperson is typically not engaged and knows nothing of it until after the fact. Where the particulars are limited, the salesperson is left with a challenging task of responding where they choose to seek reconsideration. Here, the evidence relied on by Mr. Terezakis relates to his work history, duties and job context. In that sense, the new evidence existed at the time that the Decision was made.

25. However, the analysis under s. 26.12(2)(b) does not end there. The provision also contemplates circumstances in which evidence, although in existence, "was not discovered and could not through the exercise of reasonable diligence have been discovered." The question is therefore whether Mr. Terezakis could reasonably have been expected to present this evidence at the time of Decision.

26. In this case, the conditions were imposed on Mr. Terezakis' license without an opportunity to make submissions or present evidence. Notice of the Decision was only provided after it had been made. While this is consistent with the SLR, it also follows that Mr. Terezakis had no practical ability to exercise reasonable diligence in identifying and presenting

relevant and responsive evidence at the time the Decision was made. To exercise reasonable diligence, the person must be aware of the proceeding and have an opportunity to participate in it. Where, as here, the process occurred entirely without Mr. Terezakis' knowledge, that opportunity is not available.

27. Accordingly, while the evidence now relied upon by Mr. Terezakis did exist at the time the Decision was made, I am satisfied that it could not, through the exercise of reasonable diligence, have been discovered or presented by Mr. Terezakis because he was not aware of the review and had no opportunity to provide it. In that sense, the evidence is properly characterized as "new" for the purposes of s. 26.12(2), not because of when it came into existence, but because it was not reasonably available to the applicant within the process that led to the Decision.

28. I should clarify that simply because a salesperson does not have the opportunity to participate in the process that leads to the imposition of conditions, it does not as a matter of course follow that any evidence relied on in a reconsideration application will meet the requirements of section 26.12(2) of the MDA and lead to the conditions being cancelled or varied. The evidence must still be found to be new and it must be material and substantial to the determination and without those conditions being met, a reconsideration application would fail.

V. Conclusion

29. I find that Mr. Terezakis' statutory declaration constitutes new evidence that existed at the time the Decision was made but which was not discovered and could not, through the exercise of reasonable diligence, have been discovered and that it is substantial and material to the Decision.

30. As there is no hearing associated with the imposition of conditions, having found that Mr. Terezakis has met the requirements of section 26.12 of the MDA I may either vary or cancel the Decision. Having considered all of the circumstances, I find that it is appropriate that the Decision be canceled and I so order.

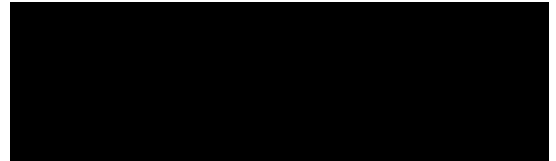
VI. Right of Review of Decision

31. There is no right of reconsideration of a decision of this decision: s.26.12(4) MDA.

32. 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 12th day of June, 2026

"Original signed"



Patrick Poyner
Registrar of Motor Dealers