



## **Salesperson Recertification Course pilot**

### **One course full, space available in two**

All salespeople who took the Salesperson Certification Course prior to 2004 will soon have to complete a mandatory two-day "recertification" course. Three classes were set up as pilot projects and volunteers were invited to help the VSA both test and fine tune the program.

#### **One-year appointments to Advisory Committees**

The VSA is very pleased to announce the volunteers who will represent their sector of the industry in two important Advisory Committees, reporting directly to the VSA Board of Directors. Please join the VSA Board of Directors and staff in thanking these individuals for being willing to represent the industry through their service. They will be meeting in April and October.

#### **Salesperson Advisory Committee**

- **Peter Burrell**  
Morrey Nissan - Surrey
- **Ken Charnetski**  
Brown Brothers Ford Lincoln -Vancouver
- **Colleen Ferrante**  
Peace Country Toyota - Dawson Creek
- **Grant Gregson**  
Parker's Chrysler Dodge Jeep - Summerland
- **Guy Moody**  
Capilano Volkswagen - North Vancouver
- **Jeff Polo**  
Deer Lake Chrysler - Burnaby
- **David Thompson**  
Cranbrook Dodge - Cranbrook

#### **Motorcycle and Moped Advisory Committee**

- **Simon Holt**  
Spunky's Motorcycles - Parksville
- **Chuck Pawlechko**  
Cranbrook Power Sports - Cranbrook
- **Lenard Hall**  
Harley-Davidson of Prince George
- **Gordon World**  
E-Cycle Electric Vehicles - Vancouver

Those who participate in the pilot project will receive a 50 per cent discount off the final expected course fee and full recertification credit. The first pilot is now full, but spaces remain in the April 8-9 class in Nanaimo and the May 5-6 class in Burnaby. By joining a pilot, you can be a part of finalizing the course. It's your chance to make a difference in the course content and format.

**Industry Vision** - The vision of a more professional industry leading to an informed and confident public resulted in the creation of the VSA (formerly the MDC). Based on continuing consumer complaints and the findings of VSA compliance officers, industry practices do not uniformly reflect this vision. The recertification course represents the commitment of the VSA to education, preferable to enforcement, as the most effective means to change behaviour in pursuit of that original vision.

At present, the classroom format is similar to the redesigned basic certification course, but the content is based entirely on actual cases for maximum relevance. The course includes material on six myths that need to be dispelled if dealers and salespeople are to avoid the legal consequences of B.C.'s extensive consumer protection legislation. The myths are:

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**Myth:** *"I didn't know about it, so I'm not being deceptive."*

**Reality:** Under the *Business Practices and Consumer Protection Act* (BPCPA), an intention to deceive the consumer is not required for someone to be in violation of the Act.

## **Myths . . . . (continued)**

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**Myth:** *“I declared damages over \$2,000, so I don’t need to know or tell them the details.”*

**Reality:** Both the *Motor Dealer Act* (MDA) and the BPCPA require all disclosures that are material.

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**Myth:** *“They gave me a deposit, so we have a deal.”*

**Reality:** A contract is formed when there is a meeting of the minds, not by a credit card transaction.

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**Myth:** *“Consumers have a duty to protect themselves, it’s buyer beware.”*

**Reality:** In 1980, the Supreme Court of Canada stated that caveat emptor (let the buyer beware) had long since ceased to play any part in the sale of goods in Canada.

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**Myth:** *“I had the consumer sign that there’s no warranty, so I’m covered.”*

**Reality:** A consumer cannot waive rights granted to them under the *Sale of Goods Act*, so all vehicles have an implied warranty to be safe and serviceable as transportation, unless sold as *Not Suitable for Transportation*.

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**Myth:** *“I’m OK. It will be just their word against mine.”*

**Reality:** Once a consumer alleges a deceptive act or practice or a misrepresentation under the BPCPA, the burden of proof shifts to the dealership and the salesperson to disprove that allegation.

With the Internet, consumers have more knowledge of the products they are buying, their legal rights and a dealer/salesperson’s obligations. In this environment, salespeople and dealers need to be equally aware of their own rights and obligations.

The recertification effort will begin with those who voluntarily took the salesperson certification course before it became mandatory in June 2004. In time, all licensed salespeople will be required to take the recertification course.

**If you have questions or comments, please phone Doug Longhurst at 604-293-3536. To register, please call Monica at 604-294-9889 ext. 230.**