



**IN THE MATTER OF THE *MOTOR DEALER ACT*  
AND THE *BUSINESS PRACTICES AND CONSUMER PROTECTION ACT***

**UNDERTAKING**

**(Section 154, *Business Practices and Consumer Protection Act*)**

**VSA Investigation File: 16-06-141**

**VSA Undertaking File: 17-02-005**

**WHEREAS** the undersigned Green Island G. Auto Ltd. *dba* Island Chevrolet Buick GMC (Dealer # 31289) is a "supplier" within the meaning of subsection 1(1) of the *Business Practices and Consumer Protection Act*;

**AND WHEREAS** the Registrar of Motor Dealers (the "Registrar") has reason to believe that the supplier has contravened subsection 5(1) of the *Business Practices and Consumer Protection Act*, S.B.C. 2004, c. 2 ("the BPCPA") as follows:

- Between the dates of March 30, 2016 and April 11, 2016, a former employee of the supplier made oral, written, visual, descriptive or other representations, and/or engaged in conduct, that had the capability, tendency or effect of deceiving or misleading a consumer, Jolene Anderson, as follows:
  - (a) the representations and/or conduct caused the consumer to believe, or otherwise had the capability, tendency or effect of deceiving or misleading the consumer into believing, that she would be able to trade her Chrysler 300 against the purchase of a 2015 Chevrolet Sonic, when she was not in fact able to do so.
  - (b) the representations and/or conduct caused the consumer to believe, or had the capability, tendency or effect of deceiving or misleading the consumer into believing, that the consumer had been approved for financing based on information provided by the consumer, when in fact the consumer was approved for financing based on inaccurate information that was not provided by the consumer.
  - (d) the representations and/or conduct caused the consumer to believe, or had the capability, tendency or effect of deceiving or misleading the consumer into believing, that there would be a lesser financial burden on the consumer if she purchased a 2015 Chevrolet Sonic, when in fact there was a greater financial burden imposed on the consumer because of her purchase of the 2015 Chevrolet Sonic.

**AND WHEREAS** Green Island G. Auto Ltd. *dba* Island Chevrolet Buick GMC (Dealer #31289) is desirous of resolving this matter without the need for any formal adjudication of the above allegations.

**NOW THEREFORE:**

Green Island G. Auto Ltd. *dba* Island Chevrolet Buick GMC (Dealer # 31289) undertakes:

1. To comply with the *Business Practices and Consumer Protection Act* and the regulations made thereunder;
2. To provide financial restitution to the consumer's financial institution such that negative financial reporting relating to the credit history of the consumer (as it relates to this matter) is cleared;
3. To pay an Administrative Penalty in the amount of \$7,500.00 in relation to the subject matter of this Undertaking;
4. To reimburse the Registrar a total of \$1,822.42 representing 100% of the inspection/investigation and legal costs incurred to date in relation to the subject matter of this Undertaking.

**THE UNDERSIGNED** hereby acknowledges, represents and declares that he or she has read this Undertaking and has had a reasonable opportunity to obtain independent legal advice as to its terms.

**THE UNDERSIGNED** further hereby acknowledges that the Registrar may decline to accept an undertaking to resolve any future similar allegations or contraventions; and that any similar allegations may be reviewed by the Registrar of Motor Dealers at a formal hearing to consider the allegations.

**IN WITNESS WHEREOF** the undersigned has set his or her hand and seal:

Dealer Name: Green Island G. Auto Ltd. <i>dba</i> Island Chevrolet Buick GMC (Dealer # 31289)
Per: Erin Oor
Signature: _____ "Original is Signed" _____ Date: <u>May 2, 2017</u>

ACCEPTED by the Registrar of Motor Dealers of British Columbia this 2<sup>nd</sup> day of May, 2017  
"Original is Signed"

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Ian Christman - Registrar of Motor Dealers