



IN THE MATTER OF THE *MOTOR DEALER ACT* R.S.B.C. 1996 c. 316

RE:

1088876 B.C. Ltd. *dba* Advantage Motors (Dealer #40334)

AGREEMENT AND UNDERTAKING

WHEREAS 1088876 B.C. Ltd. *dba* Advantage Motors (Dealer #40334) (the "Dealer") is a "registered motor dealer" as defined under the *Motor Dealer Act* R.S.B.C. 1996 c. 316 (the "Act").

AND WHEREAS the "Registrar of Motor Dealers", as defined under the Act, (the "Registrar") is responsible for the administration and enforcement of the Act, its regulations and prescribed provisions of the *Business Practices and Consumer Protection Act* S.B.C. 2004 c. 2.

AND WHEREAS a routine inspection was conducted of the Dealer and it was found, pursuant to sections 4(4), 5, and 7 of the Act, that the Dealer contravened the following alleged contraventions:

- 1) The Dealer offered a motor vehicle for sale by consignment without authorization to do so, and contrary to a condition on its registration.

AND WHEREAS the Dealer wishes to resolve these issues, without a hearing, voluntarily by entering into this Agreement and Undertaking.

THE DEALER HEREBY UNDERTAKES TO:

- 1) To comply with the *Motor Dealer Act* and its regulations.
- 2) To refrain from conducting consignment sales unless properly authorized.
- 3) Pay to the Registrar the sum of \$288.00 which is the costs for investigating this matter, by November 26, 2017.

THE DEALER ACKNOWLEDGES THAT:

- 1) This Agreement and Undertaking is being entered into by the Dealer voluntarily.
- 2) The Agreement and Dealer has had an opportunity to obtain legal advice as to the terms of this Undertaking.
- 3) The Registrar will make it a condition of the Dealer's registration to abide by and carry out the terms of this Agreement and Undertaking.

- 4) The Registrar will take steps to monitor and enforce this Agreement and Undertaking. Enforcement can include, but is not limited to, court action to obtain a compliance order, or the suspension or cancelation of the Dealer's registration.
- 5) This Agreement and Undertaking and the condition placed on the Dealer's registration may be reviewed in five years.
- 6) The Dealer acknowledges that they have had an opportunity to seek legal advice regarding its rights and obligations under this Agreement and Undertaking.
- 7) **IN WITNESS WHEREOF** the undersigned (and each of them, if more than one) has set his/her/its hand and seal (attested by the hands of its duly authorized officers, if applicable):

Dealer Name: <u>Advantage Motors</u>
<u>Michael Qumsieh</u> (Print the name and title of Dealer's authorized representative)
Signature: <u>"Original Signed"</u> Date: <u>October 30, 2017</u>

ACCEPTED by the Registrar of Motor Dealers this 31 day of October 2017.

"Original Signed"
Ian Christman - Registrar of Motor Dealers or his delegate

The Motor Vehicle Sales Authority of B.C.
(formerly known as the Motor Dealer Council of B.C.)
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