



UNDERTAKING

IN THE MATTER OF THE *MOTOR DEALER ACT* R.S.B.C. 1996 c. 316 and the *BUSINESS PRACTICES AND CONSUMER PROTECTION ACT* S.B.C. 2004, c. 2

THIS UNDERTAKING is made with an effective date of March 2, 2018

between

Olympic Motors (WC) IV Corporation dba Kia South Vancouver (Dealer #30460)

and

The Registrar, Vehicle Sales Authority of B.C.

WHEREAS:

1. Olympic Motors (WC) IV Corporation dba Kia South Vancouver (Dealer #30460) (the "Dealer") is a "registered motor dealer" as defined under the *Motor Dealer Act* R.S.B.C. 1996 c. 316 (the "Act").
2. 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 (the "BPCPA").
3. The Registrar has received and investigated a complaint from a consumer who claims that the dealer:
 - i. Engaged in deceptive acts or practices by failing to disclose certain fees; and
 - ii. Failing to supply clear and accurate information about the vehicle being sold.
4. The Registrar asserts that the Dealer has contravened the following provisions of the BPCPA:
 - i. Sections 4(1) and 5, which define and prohibit the Dealer from engaging in deceptive acts and practices.

NOW THEREFORE the Dealer undertakes, acknowledges, and agrees with the Registrar:

5. To disclose all applicable fees and costs of options, including those "options" that are preinstalled by the Dealer, prior to displaying the vehicle for sale, in any and all advertising associated with such vehicles;
6. To comply with all provisions of the BPCPA and its Regulations;
7. To comply with the MDA, the *Motor Vehicle Act* and the regulations made thereunder;
8. To ensure all material facts are disclosed to consumers prior to selling any motor vehicle;
9. To ensure that all transactions are recorded accurately and there is a complete record of the vehicle transaction at the dealership;
10. To pay an Administrative Penalty in the amount of \$2,500.00 in relation to the subject matter of this Undertaking within thirty (30) days of the execution of this Undertaking;
11. To reimburse the Registrar a total of \$522.40 representing 100% of the investigation and legal costs incurred to date in relation to the subject matter of this Undertaking within thirty (30) days of the execution of this Undertaking;
12. That this Undertaking is binding on the Dealer until such time as it is either terminated in writing by the Registrar or terminated by Order of the Supreme Court of British Columbia.
13. That in addition to rendering the Dealer liable to further penalties and proceedings as provided for under the BPCPA, it is an offence under the BPCPA to fail to comply with any part of this undertaking that has not been previously terminated.
14. That the Registrar, may upon breach of any part of this undertaking by the Dealer declare the Undertaking to be at an end and may institute such proceedings and take such action under the BPCPA, or the Act as considered necessary.
15. That any communication with the Registrar in connection with this undertaking shall be made to the following

Registrar of Motor Dealers
Vehicle Sales Authority of B.C.
#208 – 5455 152 Street
Surrey, B.C. V3S 5A5

And in the case of the Dealer to the following address:

Olympic Motors (WC) IV Corporation
dba Kia South Vancouver (Dealer #30460)
396 SW Marine Drive
Vancouver, B.C. V5X 2R6

unless another address for delivery is given to the other party, in writing, by either the Registrar or the Dealer.

16. The Dealer acknowledges and warrants that they have had an opportunity to seek legal advice as to the terms of this Undertaking.

DATED this 2nd day of March, 2018

Dealer Name: Olympic Motors (WC) IV Corporation dba Kia South Vancouver

Barry Horn
(Print the name and title of Dealer's authorized representative)

Signature: _____ Original Signed _____

ACCEPTED by the Registrar of Motor Dealers this
2nd day of March 2018

Original Signed
Ian Christman
Registrar of Motor Dealers or his delegate