



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 June 14, 2018

Between

Silk Road Traders Ltd. dba Silk Road Autos (#30733)

And

The Registrar, Vehicle Sales Authority of B.C.

WHEREAS:

1. Silk Road Traders Ltd. dba Silk Road Autos (#30733) (the "Dealer") is a "registered motor dealer" as defined under the *Motor Dealer Act* R.S.B.C. 1996 c. 316 ("MDA").
2. The "Registrar of Motor Dealers" ("Registrar"), as defined under the MDA, is responsible for the administration and enforcement of the MDA, 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 investigated and received information that:
 - i. The Dealer has misled consumers as to the nature and circumstances in respect of the sale of a motor vehicle;
 - ii. Failed to keep sufficient records in respect of the sale of motor vehicles; and
 - iii. The Dealer has offered a vehicle for sale, which did not comply with the *Motor Vehicle Act* R.S.B.C. 1996 c. 318 ("MVA").
4. The Registrar asserts that the Dealer has contravened the following provisions of the MDA, BPCPA, and MVA:
 - i. Section 5(1) of the BPCPA – engaging in deceptive acts or practices;
 - ii. Section 11 of the MDA – failure to keep dealer records; and

- iii. Section 222 of the MVA – selling, offering for sale, exposing or displaying for sale, or delivering a motor vehicle that is not in accordance with the MVA and its regulations.

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

5. To comply with the MDA, the MVA, BPCPA, and the regulations made thereunder;
6. Not to utilize the services of Surrey Inspection & Repair Centre Ltd, Facility Number S4168, located at 10944-124th Street Surrey, B.C. to inspect the Dealer's inventory/vehicles;
7. Not to utilize the services of Silk Road Auto Repairs located at 12742 King George Highway, Surrey, B.C. to repair or inspect the Dealer's inventory/vehicles;
8. To advise all buyer and consumers of the Dealer's licensing conditions;
9. To post the Conditional License near the front business area;
10. To ensure that consumers are accurately and completely informed as to the nature and circumstances in respect of any motor vehicle sales;
11. To ensure that all motor vehicles that are sold, offered for sale, exposed or displayed for sale, or delivered to consumers comply with the MVA and attendant regulations, including but not limited to thoroughly inspecting said motor vehicles;
12. To cease and desist from altering, modifying, adding, removing, swapping parts or otherwise rendering any motor vehicle non-compliant with provincial standards subsequent to the inspection completed to confirm that a vehicle has met provincial standards.
13. To ensure that all records, in respect of the sale of motor vehicles, including but not limited to the purchase and installation of parts (such as all lights, light fixtures, and other parts required to make vehicles imported from foreign jurisdictions compliant with the MVA) are kept in compliance with the MDA and the regulations made thereunder.
14. To keep records of all such inspections at the Dealer's registered business location as required by the MDA and attendant regulations;
15. The Dealer to pay an Administrative Penalty in the amount of \$5,000.00 in relation to the subject matter of this Undertaking within thirty (30) days of the execution of this Undertaking;
16. To reimburse the Registrar a total of \$631.79 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;

17. 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;
18. 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;
19. 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; and
20. 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
Fax: (604)-574-5883

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

Silk Road Traders Ltd. dba Silk Road Autos (#30733)
13211 King George Blvd
Surrey, B.C. VT3 2T3

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

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

DATED this 1st day of June 2018

Dealer: Silk Road Traders Ltd. dba Silk Road Autos (#30733)

Signature: Original Signed
Karim Quraishi

ACCEPTED by the Registrar of Motor Dealers this 14th day of June 2018

Original Signed
Ian Christman
Registrar of Motor Dealers or his delegate