



## **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 18, 2019

by

Lindsey Ross (#112446)

#### **WHEREAS:**

1. Lindsey Ross (#112446) ("Salesperson") is a salesperson, 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. Pursuant to an investigation, the Registrar has received information that the Salesperson has signed legal contracts and other documents on behalf of consumers without their knowledge or consent.
4. Such conduct contravenes Section 5(1) of the BPCPA – engaging in deceptive acts or practices.

**NOW THEREFORE** the Salesperson undertakes, acknowledges, and agrees with the Registrar:

5. To comply with the MDA, BPCPA, and the regulations made thereunder;
6. To ensure that all documents in respect of the sale of motor vehicles are signed by the persons, who are authorizing and participating in the purchase of the vehicles;
7. To ensure that consumers are accurately and completely informed as to the nature and circumstances in respect of any motor vehicle sales;
8. To a suspension of her salesperson licence for a period of six (6) months, effective on the date of the acceptance of this Undertaking;
9. To pay an Administrative Penalty in the amount of \$500.00 in relation to the subject matter of this Undertaking within thirty (30) days of the execution of this Undertaking;

10. To reimburse the Registrar a total of \$652.42 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;
11. That this Undertaking is binding on the Salesperson until such time as it is either terminated in writing by the Registrar or terminated by Order of the Supreme Court of British Columbia;
12. That in addition to rendering the Salesperson 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; and
13. That the Registrar may, upon breach of any part of this undertaking by the Salesperson, 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.
14. The Salesperson acknowledges and warrants that she has had an opportunity to seek legal advice as to the terms of this Undertaking.

**DATED** this 18<sup>th</sup> day of June 2019

Signature: Original Signed  
Lindsey Ross (#112446)

**ACCEPTED** by the Registrar of Motor Dealers this 18<sup>th</sup> day of June 2019.

Original Signed  
Ian Christman  
Registrar of Motor Dealers