



**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 February 27, 2020

between

Taurean Joshua Windrum (SL#213040)

and

The Registrar, Vehicle Sales Authority of B.C.

WHEREAS:

1. Taurean Joshua Windrum (SL#213040), (the "Salesperson") is a "salesperson" as defined in section 1(1) of the *Motor Dealer Act R.S.B.C. 1996 c. 316* (the "MDA");
2. The MDA defines "salesperson" as any individual, who, on behalf of a motor dealer and for or in the expectation of a fee, gain, or reward solicits, negotiates, or arranges for the sale of a motor vehicle to a person, or in any way participates in the soliciting, negotiating, or arranging for the sale of a motor vehicle to a person;
3. The MDA requires that all salespersons be licensed with Vehicle Sales Authority, (the "VSA");
4. Section 2 of the Salesperson Licensing Regulation prohibits any person from acting as a salesperson without holding a valid salesperson licence;
5. The "Registrar of Motor Dealers," as defined under the MDA, (the "Registrar") is responsible for the administration and enforcement of the MDA, its associated regulations and prescribed provisions of the BPCPA;
6. After an investigation, the Registrar has received information that:
 - a. The Salesperson is employed as a Sales Manager at Maple Ridge Chrysler Jeep Dodge, (the "Dealership") since May of 2019;
 - b. In January of 2020, it was discovered by the VSA licensing department that the Salesperson did not hold a valid salesperson licence;
 - c. After further investigation, it was found that the Salesperson thought his licence was valid because he believed he applied for it in 2016, however the Salesperson never completed his 2016 application; and

- d. The Salesperson did not apply for his licence until November of 2019 and had therefore been working as a Sales Manager for the Dealership for 7 months without a valid salesperson licence.
7. The Registrar asserts that the above detailed conduct violates the following statutory provisions:
- a. Section 2 of the Salesperson Licensing Regulation; and
 - b. The Code of Conduct provisions at section 33(2)(a) of the Motor Dealer Act Regulation.

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

- 8. To comply with the MDA, the BPCPA, and their associated regulations;
- 9. To pay an Administrative Penalty in the amount of \$500.00 to deter the Salesperson from engaging in conduct similar to the aforementioned in the future, within thirty (30) days from the signing of this Undertaking;
- 10. 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;
- 11. 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;
- 12. 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;
- 13. That any communication with the Registrar in connection with this undertaking shall be made to the following address:

Registrar of Motor Dealers
Vehicle Sales Authority of B.C.
#280 – 8029 199th Street
Langley, BC V2Y 0E2

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

Taurean Joshua Windrum

Withheld - personal address.
Section 22 FOIPPA.

unless another address for delivery is given to the other party, in writing, by either the Registrar or the Salesperson; and

14. The Salesperson has had an opportunity to seek legal advice as to the terms of this Undertaking.

DATED this 25 day of February 2020

Taurean Joshua Windrum (SP#213040)

Signature: "original is signed"

ACCEPTED by the Registrar of Motor Dealers this 27 day of February 2020

"original is signed"

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Registrar of Motor Dealers