

MAY 27 2011



IN THE MATTER OF THE *MOTOR DEALER ACT*
AND THE *BUSINESS PRACTICES AND CONSUMER PROTECTION ACT*

COMPLIANCE ORDER

(Section 155, *Business Practices and Consumer Protection Act*)

WHEREAS: Jaweed Jooya, 107-13112 84th Ave, Surrey, B.C. V3W 1B3

are each a "supplier" within the meaning of subsection 1(1) of the *Business Practices and Consumer Protection Act* S.B.C. 2004 c. 4 (the "BPCP Act").

AND WHEREAS the Registrar of Motor Dealers ("the Registrar") pursuant to section 8.1 of the *Motor Dealer Act*, section 29 of the *Motor Dealer Act Regulation* B.C. Reg. 447/78 and section 155 of the *Business Practices and Consumer Protection Act* has provided the supplier with an opportunity to be heard and is satisfied that the supplier (and each of them if more than one) is contravening, is about to contravene or has contravened the BPCP Act or the regulations made there-under, namely:

That a hearing was held before the Registrar of Motor Dealers on April 8, 2009 and the Registrar found that Crown Autobody & Auto Sales Ltd., Dealer No. 30290 (Crown), and Jaweed Jooya, Saleperson License No. 104873 (Mr. Jooya) committed a deceptive act or practice on or about June 7, 2008, contrary to section 5(1) of the *Business Practices and Consumer Protection Act* S.B.C. 2004 c. 2 (the "BPCPA"). Specifically that in Surrey, British Columbia, Crown and Mr. Jooya sold a 2005 Toyota Prius with VIN # JTDKKB22U753075055 (the "Prius") to David and Keturah Knapp and represented to them that the Prius was roadworthy when it was not. The Registrar found that Crown and Mr. Jooya misrepresented the true kilometrage travelled by the Prius.

NOW THEREFORE the Registrar directs the suppliers (and each of them, if more than one):

- a. Crown and Mr. Jooya are to abide by the *Business Practices and Consumer Protection Act*;
- b. Crown and Mr. Jooya are to ensure they do not by words or by conduct misrepresent the quality of the goods they sell to consumers, and specifically, they are not to misrepresent a motor vehicle as roadworthy when it is not;
- c. Crown and Mr. Jooya are joint and severally liable to refund David and Keturah Knapp the total purchase price paid for the Prius of \$19,040.00, and Crown and Mr. Jooya must arrange to take back the Prius at their own expense;
- d. Crown and Mr. Jooya are jointly and severally liable to reimburse David and Keturah Knapp for **any costs associated** with the inspection of the Prius by Milltowne Motors Ltd., which is to also include the Ontario Provincial Vehicle Inspection and the cost to disassemble the Prius to **investigate its** ability to be repaired; and

- e. Crown and Mr. Jooya are jointly and severally liable to reimburse the Motor Vehicle Sales Authority's inspection, investigation and hearing costs in the amount of \$2,831.11. An invoice will be provided.

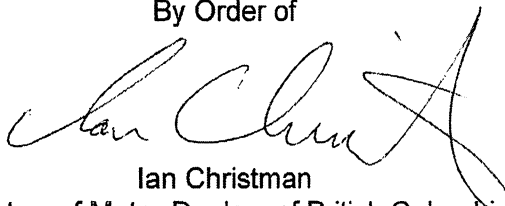
AND FURTHERMORE section 157 of the BPCP Act permits the Registrar to file this Compliance Order in Supreme Court and once filed is deemed to be an order of the Supreme Court and is enforceable as such.

Pursuant to section 155(7) of the BPCP Act, this Compliance Order may be reconsidered in accordance with sections 180 (c), 181 and 182 (1) & (2) of the BPCP Act within 30 days of receiving this document. The reconsideration request must be in writing, must identify new evidence that has become available or been discovered and must be substantial and material to the determination. The decision made with respect to the reconsideration is final and may not be reconsidered.

All correspondence, including a request for reconsideration should be addressed to:

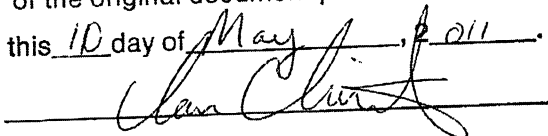
Motor Vehicle Sales Authority of BC
Attention: Registrar of Motor Dealers
208-5455 152 Street
Surrey, B.C. V3S 5A5

By Order of



Ian Christman
Registrar of Motor Dealers of British Columbia
On 21st day of **September, 2009** at Surrey, British Columbia

I certify this document to be a true copy
of the original document placed before me
this 10 day of May, 2011.



Ian Christman
Barrister & Solicitor
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