



FEB 16 2016

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

Hearing File 15-02-002
Investigation File 15-04-064

COMPLIANCE ORDER

(Section 155, Business Practices and Consumer Protection Act)

WHEREAS 0831522 B.C. Ltd. *dba* Street Trendz Auto Sales & Customization (Dealer #31174) and Maxwell MacLean (Salesperson #119575) are each a "supplier" within the meaning of subsection 1(1) of the Business Practices and Consumer Protection Act (BPCPA).

AND after a hearing before the Registrar of Motor Dealers (the "Registrar"), the Registrar did find that Street Trendz, and Mr. MacLean breached provisions of the Motor Dealer Act, R.S.B.C. 1996 c. 316 ("MDA"), the Business Practices and Consumer Protection Act, S.B.C. 2004 c. 2 ("BPCPA") and their regulations in relation to six separate consumer transactions by:

- 1) Selling a motor vehicle to a consumer (S.P.) that had not passed Air Care emissions tests and counseled the consumer to register the motor vehicle at an address in Whistler, B.C., (outside the Air Care zone) to avoid having to have the motor vehicles pass Air Care.
- 2) Selling a motor vehicle to a consumer J.R. and failed to provide proper disclosure statements, breaching the Cost of Consumer Credit disclosure requirements of the BPCPA and misrepresented the nature of the financial arrangement (finance agreement versus a lease),
- 3) Selling a motor vehicle to a consumer P.B. and failing to advise the consumer of a change in odometer readings as required by the *Motor Dealer Act Regulation*, and misrepresented the odometer reading as accurate on the purchase agreement, when it was not, contrary to the BPCPA.
- 4) Declaring the motor vehicle sold to S.P. as meeting the requirements of the *Motor Vehicle Act* and its regulations when it did not.

NOW THEREFORE the Registrar directs:

- (a) 0831522 B.C. Ltd. *dba* Street Trendz Auto Sales & Customization ("Street Trendz") and Maxwell McLean to abide by the Business Practices and Consumer Protection Act, S.B.C., 2004, c. 2 ("BPCPA"),
- (b) 0831522 B.C. Ltd. *dba* Street Trendz Auto Sales & Customization ("Street Trendz") and Maxwell McLean to properly disclose to consumers the Cost of Consumer Credit if it is financing a motor vehicle purchase as required by the BPCPA,
- (c) 0831522 B.C. Ltd. *dba* Street Trendz Auto Sales & Customization ("Street Trendz") and Maxwell McLean to refrain from leasing motor vehicles to consumers unless they have obtained approval from the Registrar to lease motor vehicles,

- (d) 0831522 B.C. Ltd. dba Street Trendz Auto Sales & Customization ("Street Trendz") and Maxwell McLean to disclose to consumers whether or not a motor vehicle it is offering for sale meets the requirements of the Motor Vehicle Act,
- (e) 0831522 B.C. Ltd. dba Street Trendz Auto Sales & Customization ("Street Trendz") and Maxwell McLean to disclose to consumers the true mileage of a motor vehicle and to disclose if an odometer has been changed as required by the MDA and its regulations, and
- (f) 0831522 B.C. Ltd. dba Street Trendz Auto Sales & Customization ("Street Trendz") is to pay to the Vehicle Sales Authority \$2,218.25 for its investigation and hearing costs.

Any words in this Compliance Order that are defined in the *Motor Dealer Act* or the *Business Practices and Consumer Protection Act*, have the same meaning as described in those Acts.

All the persons against whom this Compliance Order is made are jointly and severally responsible for complying with this Compliance Order and are jointly and severally liable for the payment of any amounts the persons are required to pay under this Compliance Order.

AND FURTHERMORE section 157 of the BPCPA 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 BPCPA, this Compliance Order may be reconsidered in accordance with sections 180 (c), 181 and 182 (1) & (2) of the BPCPA 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:

Vehicle Sales Authority of BC
Attention: Manager of Compliance and Investigations
208-5455 152 Street
Surrey, B.C. V3S 5A5

By Order of



Ian Christman

Registrar of Motor Dealers of British Columbia

On 27 day of November, 2015 at Surrey, British Columbia

I certify this document to be a true copy
of the original document placed before me
this 9 day of February, 2016.

