



Motor  
Vehicle Sales Authority  
of British Columbia

Previously known as the Motor Dealer Council of British Columbia

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

**UNDERTAKING**

**(Section 154, *Business Practices and Consumer Protection Act*)**

**VSA File: 10-70644**

**WHEREAS** the undersigned Hometown Motors LP by its General Partner AutoCanada Hometown Motors GP Inc, DBA Victoria Hyundai is a "supplier" within the meaning of subsection 1(1) of the *Business Practices and Consumer Protection Act*;

**AND WHEREAS** the Registrar of Motor Dealers (the "Registrar") has reason to believe that the supplier is contravening is about to contravene or has contravened the *Business Practices and Consumer Protection Act* (BPCPA) or the regulations made thereunder, namely:

It is alleged that between September 1, 2009 and August 18, 2010 the conduct by the supplier in the retail sale of motor vehicles resulted in several consumers complaining that motor vehicles purchased for their personal and family needs did not meet all the statutory requirements for the sale of motor vehicles as expressly or implicitly represented by the supplier.

It is also alleged that between September 1, 2009 and August 18, 2010 some of the supplier's advertisements as expressly or implicitly represented by the supplier contained inaccurate or ambiguous information in the supplier's offer to sell motor vehicles

**AND WHEREAS** the undersigned is desirous of resolving this matter without the need for any formal adjudication of the above allegations.

**AND WHEREAS**, the undersigned has resolved the consumer complaints to the satisfaction of those consumers and the Registrar.

**AND WHEREAS** the undersigned has completed a system review of its operations and made procedural changes satisfactory to the Registrar.

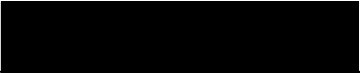

**NOW THEREFORE** the undersigned hereby undertakes:

- (a) To comply with the *Business Practices and Consumer Protection Act* and the regulations made there under;
- (b) To ensure information advertised about any motor vehicle, financing and leasing is displayed in a clear and prominent manner and is accurately represented;


- (c) To ensure all material facts are disclosed to consumers prior to purchase of any motor vehicle;
- (d) To reimburse the Registrar a total of \$30,929.05 for inspection/investigation and legal costs relating the subject matter of this Undertaking; and
- (e) To pay an Administrative Penalty in the amount of \$10,000.00 in relation to the issues covered in this Undertaking

**THE UNDERSIGNED** hereby acknowledges, represents and declares that they have each read this Undertaking and have had a reasonably opportunity to obtain independent legal advice as to its terms.

**IN WITNESS WHEREOF** the undersigned (and each of them, if more than one) has set his/her/its hand and seal (attested by the hands of its duly authorized officers, if applicable):

Name: Hometown Motors LP by its General Partner AutoCanada Hometown Motors GP Inc., DBA Victoria Hyundai Dealer #30622, 525 - Gorge Road East, Victoria, BC V8T 2W5	
Signature: 	Title: CEO Date: _____ 2010
Pat Priestner	
Signature: 	Title: VP Finance Date: <u>Sept 17</u> 2010
Tom Orysiuk	

**ACCEPTED** by the Registrar of Motor Dealers of British Columbia this 14 day of Sept 2010



Ian Christman - Registrar of Motor Dealers