



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: 10-70782

WHEREAS the undersigned Hallmark Ford Sales Limited is a "supplier" within the meaning of subsection 1(1) of the *Business Practices and Consumer Protection Act S.D.B.C.2004 C.2 (BPCPA)*;

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 sections 4 and 5 of the BPCPA in that oral and written representation or conduct made by the Supplier in an advertisement and to Market Laboratory Inc. & Michael and Tammy Olson (the "Purchasers") had the capacity, tendency or effect of misleading consumers in general and the Purchasers, specifically:

ALLEGATIONS:

In an advertisement that appeared in the Surrey/North Delta Leader on September 15, 2010, Hallmark Ford Sales Limited:

- offered an unauthorized lottery to win \$10,000.00, \$5,000.00 or \$3,000.00; and
- offered a 2010 F150 truck Stock Number W1EA139 for an advertised price of \$27,957 that was sold to the Purchasers on September 15, 2010 for \$34,517 without advising the purchasers of the advertised price.

In an advertisement that appeared in The Now newspaper on September 17, 2010, Hallmark Ford Sales Limited:

- offered a 2010 F150 truck Stock Number W1EA552 for \$31,051.00 and the price affixed to this motor vehicle was \$47,114.00.

NOW THEREFORE the undersigned undertakes:

1. To comply with the BPCA and its regulations;
2. To refrain from engaging in any acts or practices that mislead consumers; and
3. To ensure the pricing on motor vehicles matches the price in the advertisement and that consumers will be charged the lower of the two prices.


FURTHERMORE the undersigned Hallmark Ford Sales Limited hereby agrees;

1. To reimburse the Purchasers \$6,560.00 being the difference between \$34,517.00 paid for the Motor Vehicle and \$27,957 the advertised price of the Motor Vehicle.

2. To reimburse to the Registrar a total of \$932.41 for inspection/investigating costs relating the subject matter of this Undertaking.

THE UNDERSIGNED hereby acknowledges, represents and declares that he has read this Undertaking and has 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: Hallmark Ford Sales Limited Dealer #7876 10025 - 152 Street Surrey, BC V3R 4G6 | |
| Date: _____ |  |
| Signature: _____ Manager | Title: Salesperson & General Jeffery Hall Salesperson #104948 |

ACCEPTED by the Registrar of Motor Dealers of British Columbia this 29 day of November 2010



Ian Christman - Registrar of Motor Dealers