



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: 09-70774

**WHEREAS** the undersigned Dueck Pontiac Buick GMC Limited/Saturn Saab of Vancouver 888 Terminal Avenue, Vancouver, British Columbia 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* or the regulations made hereunder, namely:

**ALLEGATIONS:**

1. On or about September 18, 2009, at or near the City of Vancouver, in the Province of British Columbia, Dueck Pontiac Buick GMC Limited/Saturn Saab of Vancouver (the "supplier") represented in writing in an advertisement published on September 18, 2009 in The Province Newspaper on pages C20 and C29 (a copy of which is attached hereto as Schedule "A") that consumers could obtain a Loyalty Rebate of \$1,000.00 on each of the following vehicles:

- 2009 Saturn Astra XE #9AS54308,
- 2009 Sierra Pick Up #9CK0959,
- 2009 Montana SV6 #9MV3601,
- 2009 Solstice Convertible #9S00079,
- 2009 Pontiac G3 #9G35277,
- 2009 Pontiac G5 #9G50884,
- 2010 Pontiac Vibe #9V18249,
- 2009 GMC Canyon #9CN7648,
- 2009 Pontiac G6 SE #9C67648,
- 2009 Saturn Aura #OAU9166,
- 2009 Saturn Vue XE #9VU7549,
- 2009 Saab 9-3 Sport Sedan #9936161

and subtracted the \$1,000.00 Loyalty Rebate from the Dueck Sale Price to arrive at a Dueck Cash Price. The supplier did not include in the advertisement the qualification that, in order to qualify for the \$1,000.00 Loyalty Rebate, a consumer must be a current Saturn and GM owner contrary to section 4(3)(c)(i) and section 5(1) of the *Business Practices and Consumer Protection Act*.

2. On or about September 18, 2009, at or near the City of Vancouver, in the Province of British Columbia, the supplier represented in an advertisement published on September 18, 2009 in The Province Newspaper on pages C20 and C29 (a copy of which is attached hereto as Schedule "A") that advertised a 2010 Pontiac Vibe #9V18249 for \$14,690.00 with a payment of \$88/payment, but due to an error by the Province Newspaper (as admitted by the Province Newspaper in the form attached hereto as Schedule "B"), the term of the credit or the APR (annual percentage rate) was not disclosed, contrary to sections 4(3)(b)(vi), 5 and 60(2) of the *Business Practices and Consumer Protection Act*.

NOW THEREFORE the undersigned:

1. Hereby undertakes:

(a) to comply with the *Business Practices and Consumer Protection Act* and the regulations made thereunder;

(b) to refrain from engaging in the following acts or practices:

(i) advertising wherein the conditions or qualification to receive a rebate including a Loyalty Rebate are not disclosed in the advertisement; and

(ii) advertising wherein the APR and term of credit are not disclosed in the advertisement.

2. Hereby acknowledges, represents and declares that this Undertaking does not absolve the supplier from any complaints from any consumer who purchased a motor vehicle as advertised and noted in the allegations.

3. Hereby acknowledges that section 4(1) of the *Business Practices and Consumer Protection Act* defines "deceptive act or practice" as follows:

"deceptive act or practice" means, in relation to a consumer transaction,

(a) an oral, written, visual, descriptive or other representation by a supplier, or

(b) any conduct by a supplier that has the capability, tendency or effect of deceiving or misleading a consumer or guarantor; "


even if such oral, written, visual, descriptive or other representation or conduct by a supplier was inadvertent or unintentional.

THE UNDERSIGNED hereby acknowledges, represents and declares he has read this Undertaking and has had a reasonably opportunity to obtain independent legal advice as to its terms.

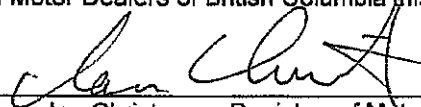
IN WITNESS WHEREOF the undersigned (and each of them, if more than one) has set his/her/its hand and seal (attested by the hands of its duly authorized officers, if applicable):

Dueck Pontiac Buick GMC Limited DBA Saturn Saab of Vancouver Dealer # 10674  
888 Terminal Ave. Vancouver, BC V6A 2M5

Date: FEB 10, 2010 Dealer Representative: BOB CRUCKSHANK  
(print name)

Signature:  Title: CFO  
(print)

ACCEPTED by the Registrar of Motor Dealers of British Columbia this 15 day of February 2010 d.c.



Ian Christman - Registrar of Motor Dealers



Schedule "B" to  
Undertaking VSA File 09-70774

**THE VANCOUVER SUN**

**The Province**

Suite 1  
200 Granville Street  
Vancouver, B.C. V6C 3N3  
Tel: (604) 605-2000

LETTER OF CORRECTION

**Attention Grant Bohn  
Dueck GM Downtown**

September 21, 2009

Grant,

The Province failed to add to the Dueck Pontiac Buick ad the following:

Payment by – weekly, 3.5% APR financed over 84 month term, \$1925 down payment.

The Vancouver Province regrets any inconvenience this may have caused Dueck GM Management, staff and your valued customers.

Sincerely

**Craig Asselstine  
Pacific Newspaper Group**

**PACIFIC NEWSPAPER GROUP**

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