



Motor  
Vehicle Sales Authority  
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*)**

**WHEREAS** the undersigned **Newtype Motors Ltd.**

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 undersigned (and each of them, if more than one) is contravening, is about to contravene or has contravened the *Business Practices and Consumer Protection Act* or the regulations made thereunder, namely:

On or about July 17, 2008 at or near the City of Richmond in the Province of British Columbia did commit or engage in a deceptive act or practice wherein a representation by a supplier that goods or services are of a particular standard, quality, grade, style or model if they are not specifically in the sale of a 2002 Honda Civic VIN # 2HGES16872H931050 to Serena Yarwood and represented that it complied with the requirements of the **Motor Vehicle Act**, which it did not contrary to Section 5 of the *Business Practices and Consumer Protection Act*.

**NOW THEREFORE** the undersigned (and each of them, if more than one):

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 act or practice, specifically not sell vehicles that are unsafe and do not met the requirements of the *Motor Vehicle Act*.
- (c) To unwind the deal with Serena Yarwood for the 2002 Honda Civic VIN # 2HGES16872H931050 and refund her a total of \$12,750.83 that includes the purchase price of the 2002 Honda, the cost of the ICBC insurance from the date of purchase, the cost of one mechanical and one safety inspection and the cost of a mechanical repair.

(d) To reimburse to the Registrar for the costs of inspection, including actual legal costs, relating to the matters which are the subject matter of this Undertaking, namely: investigation costs of \$846.39

(e) To ensure that the 2002 Honda is not sold to a consumer for transportation without the vehicle meeting the requirements of the Motor Vehicle Act.

2. Hereby acknowledges, represents and declares:

(a) That Ross Cote" proposed to Todd Ho of Newtype Motors Ltd. that they sign an Undertaking to pay the investigation costs and pay an Administration Penalty in the amount of \$1000.00.

(b) That the undersigned have read this Undertaking and have had the opportunity to take independent legal advice as to its terms.


**IN WITNESS WHEREOF** the undersigned has set his hand and seal:

Name (Print): Newtype Motors Ltd.  
9200 Bridgeport Road, Richmond, BC

Date: March 13 2009

Signature:  Todd Ho, Dealer Principal

**ACCEPTED** by the Registrar this 17 day of March, 2009.

  
Registrar

Form approved January 16, 2008