

December 14, 2018

1973566 Alberta Ltd.
d/b/a Barlow Motors Saskatoon
2337 Faithful Avenue
Saskatoon, Saskatchewan
S7K 1T9

Attention: Mark Cuevas

Dear Sir:

Re: Cease and Desist

You received an email correspondence from me on November 19, 2018 informing you that the vehicle dealer licence issued to 1973566 Alberta Ltd. ("Barlow Motors") was cancelled due to a change in ownership of the business as provided for in section 66 of *The Consumer Protection and Business Practices Act* (the "Act"). You were further informed in that email that Barlow Motors must cease and desist engaging in the business of buying and selling vehicles until such time as it obtains a new vehicle dealer licence.

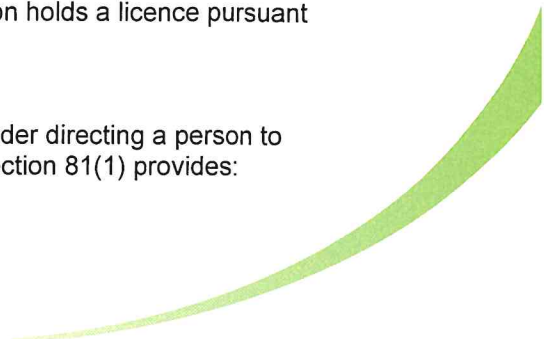
You received a subsequent email from me on December 6, 2018 noting that we had not received a new vehicle dealer licence application from Barlow Motors and reminding you that Barlow Motors was prohibited from selling vehicles until such time as it has been issued a new licence.

Since that December 6, 2018 email I received information indicating that Barlow Motors has continued to engage in the business of a vehicle dealer after its licence has been cancelled. This information was provided by Saskatchewan Government Insurance ("SGI") and Saskatoon Police Service ("SPS") officials who attended Barlow Motors' premises on December 6, 2018 in the course of an investigation. The SGI and SPS officials indicated that in addition to continuing to sell vehicles while unlicensed, Barlow Motors' employees were affixing invalid Alberta dealer licence plates to vehicles for the purposes of offering test drives to consumers. The invalid Alberta dealer plates would not have provided any insurance coverage if the consumer test driving the vehicle had been in an accident. This could have had very serious consequences for the consumer. Other concerns noted by SGI and SPS officials included that Barlow Motors advertises via signage on its premises that it is an accredited SGI inspection station when it is not.

As noted to you in my emails of November 19th and December 6th, 2018, continuing to engage in the business of a vehicle dealer without a licence is a contravention of section 56 of the Act which states:

56 No person may engage in a designated business unless the person holds a licence pursuant to this Act that authorizes the person to engage in that business.

Pursuant to section 81(1) of the Act, I am authorized to issue a compliance order directing a person to comply with the Act and to cease doing anything that contravenes the Act. Section 81(1) provides:



81(1) The director may issue an order pursuant to subsection (2) if the director is satisfied that a person is not complying with this Act, the regulations or a voluntary compliance agreement entered into pursuant to section 80.

(2) In the circumstances mentioned in subsection (1), the director may order a person to do all or any of the following:

- (a) cease doing an act or cease failing or neglecting to do an act;
- (b) comply with this Act, the regulations or the voluntary compliance agreement;
- (c) do or refrain from doing any other thing that the director considers necessary.

Accordingly, enclosed with this letter is an Order issued pursuant to section 81 of the Act ordering Barlow Motors to cease and desist engaging in the business of a vehicle dealer until such time as it obtains a valid vehicle dealer licence issued pursuant to the Act.

I am issuing this Order immediately as I believe it is necessary and in the public interest to take immediate action due to the grave concerns I have regarding the potential jeopardy consumers may be put in if Barlow Motors is using invalid licence plates on vehicles used for test drives and falsely displaying it is an accredited SGI inspection station when it is not.

In order to provide you with an opportunity to be heard concerning this matter, you may provide me with written submissions and evidence that you feel I should take into account in considering whether to vary or rescind the Order at any time. I will consider your submissions and make a decision regarding varying or rescinding the Order within ten days of the date of the Order if you provide your submissions to me within that ten-day period.

Please note, should you fail to follow the Order, I may take further legal action against you up to and including prosecution of Barlow Motors and its directors and officers. A conviction for an offence under the Act could result in a sentence including both fines and imprisonment.

Should you have any further questions about the process, please feel free to contact me directly denny.huyghebaert@gov.sk.ca 306-787-5712

Yours truly,



Denny Huyghebaert
Deputy Director