

*In the Matter of  
The Consumer Protection and Business  
Practices Act, S.S. 2013, c. 30.2*

and

**In the Matter of  
1973566 Alberta Ltd., operating as Barlow Motors Saskatoon**

**COMPLIANCE ORDER  
Pursuant to Section 81**

**WHEREAS** 1973566 Alberta Ltd., operating as Barlow Motors Saskatoon ("Barlow Motors") was issued a vehicle dealer licence ("licence") pursuant to *The Consumer Protection and Business Practices Act* (the "Act") to engage in the business of a vehicle dealer in the Province of Saskatchewan on October 4, 2016;

**AND WHEREAS** pursuant to section 66 of the Act, Barlow Motors' licence was automatically cancelled on November 6, 2018, due to a change of ownership of the business;

**AND WHEREAS** Barlow Motors was informed in writing on November 19, 2018 and again on December 6, 2018 that it must cease and desist engaging in the business of buying and selling vehicles until such time as it obtains a new vehicle dealer licence;

**AND WHEREAS** the Deputy Director appointed pursuant to section 77 of the Act ("Deputy Director") received information on December 6, 2018 indicating that Barlow Motors continued to engage in the business of a vehicle dealer after its licence had been cancelled. The information received indicated that it was observed by Saskatchewan Government Insurance and Saskatoon Police Service officials that Barlow Motors was continuing to sell vehicles from its premises on December 6, 2018. The information received further indicated that Barlow Motors' employees were affixing invalid Alberta dealer licence plates to vehicles for the purposes of offering test drives to consumers.

**AND WHEREAS** Barlow Motors has not been issued a licence and has not been authorized pursuant to the Act to engage in the business of a vehicle dealer at any time since its licence was automatically cancelled on November 6, 2018;

**AND WHEREAS** section 56 of the Act states:

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.

**AND WHEREAS** section 5-8 of *The Consumer Protection and Business Practices Regulations* (the “Regulations”) provides that the selling or leasing of vehicles as a dealer is a designated business;

**AND WHEREAS** section 81 of the Act provides:

- (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.

**AND WHEREAS** the Deputy Director is empowered with the same responsibility to administer and enforce the Act and the Regulations as the Director pursuant to section 77 of the Act;

**AND WHEREAS** the Deputy Director is satisfied that Barlow Motors is not complying with the Act by continuing to engage in the business of a vehicle dealer in contravention of section 56 of the Act;

**NOW THEREFORE THE DEPUTY DIRECTOR HEREBY ORDERS:**

Pursuant to clause 81(2)(a) of the Act, 1973566 Alberta Ltd., doing business as Barlow Motors Saskatoon, shall cease and desist engaging in the business of a vehicle dealer in the Province of Saskatchewan until such time as it is issued a valid vehicle dealer licence pursuant to the Act.

DATED this 14<sup>th</sup> day of December, 2018 at the City of Regina, in the Province of Saskatchewan.



Denny Huyghebaert  
Deputy Director, Consumer Protection Division  
Financial and Consumer Affairs Authority of  
Saskatchewan