

**IN THE MATTER OF**  
***THE CONSUMER PROTECTION AND BUSINESS PRACTICES ACT, S.S. 2013, c. 30.2***

**AND**

**IN THE MATTER OF**  
**KELLY & BELL HOLDINGS LTD.**

**COMPLIANCE ORDER**  
**Pursuant to Section 81**

**WHEREAS** Kelly & Bell Holdings Ltd. (“the Dealer”) is a licensed vehicle dealer who is governed by the provisions of *The Consumer Protection and Business Practices Act* (“the Act”) and *The Consumer Protection and Business Practices Regulations* (“the Regulations”);

**AND WHEREAS** subsection 5-21(5) of the Regulations states:

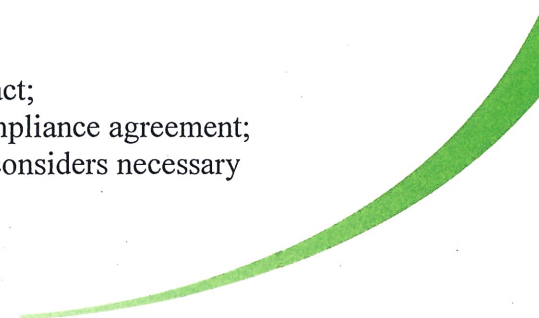
A dealer who advertises a periodic payment for a vehicle that is to be financed on approved credit must include in the advertised price the total charges that the consumer would pay if credit is approved, not including taxes payable pursuant to The Provincial Sales Tax Act and Part IX of the Excise Tax Act (Canada);

**AND WHEREAS** pursuant to subsection 81(1) of the Act, the director, as appointed pursuant to section 77 of the Act (“the Director”) may issue an order under subsection 81(2) of the Act if the Director is satisfied that a person is not complying with the Act or the regulations;

**AND WHEREAS** the Deputy Director who is appointed by the Minister 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** after reviewing evidence obtained in respect of this matter, the Deputy Director is satisfied that the Dealer is not complying with subsection 5-21(5) of the Regulations by failing to advertise the total charges payable by a consumer when the Dealer advertised a periodic payment for a vehicle that is to be financed on approved credit;

**AND WHEREAS** pursuant to subsection 81(2) of the Act, where the Director is satisfied that the grounds under subsection 81(1) exist, 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
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**NOW THEREFORE THE DEPUTY DIRECTOR HEREBY ORDERS** pursuant to clause 81(2)(a) of the Act:

- (1) Kelly & Bell Holdings Ltd. shall immediately:
  - (a) Cease advertising in an manner that fails to disclose the total charges payable, not including taxes, by a consumer when advertising a periodic payment for a vehicle that is to be financed on approved credit;

DATED this 16<sup>th</sup> day of February, 2017 at the City of Regina, in the Province of Saskatchewan.



Denny Huyghebaert  
Deputy Director, Consumer Protection  
Division