



COMPLIANCE ORDER

IN THE MATTER OF

BUSINESS PRACTICES & CONSUMER PROTECTION ACT, S.B.C. 2004 c.2

Respondent: Trans Union of Canada Inc.
Adjudicator: Morris Redecopp, Manager of Regulatory Audit
Date of Order: April 27, 2012

REQUIREMENTS OF THE ORDER

1. Pursuant to section 155(1) of the *Business Practices and Consumer Protection Act* ("BPCP Act"), the respondent is ordered to comply with the section 109(1)(o) of the BPCP Act and not include in a report given under section 108(1)(a) any information adverse to the individual's interest 6 years after the event that gave rise to the information.
2. Pursuant to section 155(3) of the BPCP Act, the respondent is required to stop engaging in or not engage in the practice of including inquiry information in an individual's credit report where the inquiry was made by a debt collection agency or a buyer of defaulted debt in respect of a debt that first went into arrears more than 6 years earlier. This requirement does not apply to a credit report provided only to the individual who is the subject of the credit report.

APPEAL PROCESS

The BPCP Act provides that the Director of Consumer Protection BC may reconsider decisions made under the Act and may confirm, vary or cancel them.

A person may request a reconsideration of the following determinations (section 180 of the BPCP Act):

- a compliance order

The request must be in writing and identify the error believed was made or other grounds. The decision made with respect to the reconsideration is final and may not be reconsidered. Information on the reconsideration process can be found at www.consumerprotectionbc.ca

There is a \$210 reconsideration application charge which must be submitted with a reconsideration request. The charge will be refunded to the applicant if the reconsideration results in the full reversal of the determination being reconsidered.

Section 181(1) of the BPCPA Act states that a person may request the Director to reconsider a determination within 30 days of receiving the determination or within a time period specified by the director if any special circumstances exist.

Section 181(2) further states that this request must be made "in writing and must identify the error that the person believes was made or the other grounds for which reconsideration is requested".

Section 182 sets out the powers of the Director on reconsideration.

Section 182(5) indicates that the Director must give written reasons for the decision in respect of the reconsideration to the person who made the request under section 181(2). This decision may not be reconsidered.

SUMMARY

The respondent is required to comply with this order made under the Act and provide this office with written confirmation that it is complying with the order as stated above. If the respondent does not comply with this order, the director may impose an administrative penalty of not more than \$5,000.00 on an individual and/or not more than \$50,000.00 on a corporation.

This order may be filed in Supreme Court and the filed order is deemed an order of the Supreme Court and enforceable as such. The respondent may request in writing within 30 days of receiving the determination from the date of service, a reconsideration of this order. The director must supply the respondents with the written reasons for the decision in respect of the reconsideration.

All correspondence, including any request for a reconsideration, should be addressed to:

Consumer Protection BC
Attn: Morris Redecopp, Manager of Regulatory Audit
307 – 3450 Uptown Blvd, Victoria, BC, V8Z 0B9



Morris Redecopp, Manager of Regulatory Audit

APRIL 27/12
Date

Method of Service: "Rush & Trace" Postal Mail