
COMPLIANCE ORDER

Amended March 4, 2021

IN THE MATTER OF

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

Respondent: West Canadian Reservations Inc.

Adjudicator: Sean Sisett, Director – Inspections & Case Management

Date of Order: March 4, 2021

In accordance with notice requirements under section 155 of the *Business Practices and Consumer Protection Act* (“BPCPA”), the respondent has been found to have committed the following contravention:

A breach of Section 189(5)(b) of the BPCPA when it failed to comply with a demand to produce business records and banking information to an inspector acting under authority of the BPCPA.

Pursuant to section 155(4) of the BPCPA, this Compliance Order requires that the Respondent:

1. Before March 18, 2021, provide the Director with the following records (in digital or paper form) related to the respondent’s business when renting, leasing or otherwise arranging for the supply of accommodation for terms under 45 days, at Playa Del Sol Resort in Kelowna BC, for the period inclusive of June 1, 2019 until September 30, 2020.
 - a. The name, address, email and phone number of each consumer for whom West Canadian rented, leased, sold or otherwise arranged accommodation.
 - b. Cost in dollars (total) paid by consumers for the accommodation noted in item 1.a of this Order.
 - c. Name, address, email and phone number of the person(s) who own the unit(s) where the accommodation in item 1.a was provided.
 - d. Completed copies of all West Canadian Reservations Inc. rental management agreements executed with owners of properties at Playa Del Sol Resort that were in effect at any time during the period inclusive of June 1, 2019 until September 30, 2020.

2. Reimburse the Director for partial inspection costs incurred in the amount of \$500 within 14 days of the Respondent receiving a copy of this Order.

RECONSIDERATION PROCESS

Section 181 of the BPCPA provides, in part, that a person may request a reconsideration of a compliance order.

The request must be in writing and identify the error believed was made or other grounds.

Section 182 of the BPCPA provides that the Director may reconsider determinations and may confirm, vary or cancel a determination. A decision to vary or cancel a determination may only be made if the Director is satisfied that new evidence has become available or has been discovered that:

- is substantial and material to the determination, and
- did not exist at the time of the review or did exist at that time but was discovered and could not through the exercise of reasonable diligence have been discovered.

Pursuant to section 181(1) of the BPCPA, a person may request the Director to reconsider a determination within 30 days of receiving the order, or within a time period specified by the director if any special circumstances exist.

There is a \$252.00 (two hundred fifty-two dollar) reconsideration application fee which must be submitted with the request for reconsideration. The fee will be refunded to the applicant if the reconsideration results in the full reversal of the decision.

A decision on reconsideration is final and may only be judicially reviewed.

Information on the reconsideration process can be found at www.consumerprotectionbc.ca

A request for reconsideration should be addressed to:

Shahid Noorani, Vice President, Regulatory Services
Consumer Protection BC
Attn: Director
200 – 4946 Canada Way
Burnaby, B.C. V5G 4H7

SUMMARY

The respondent is required to comply with this Order made under the BPCPA, and, at the request of this office, provide proof of compliance with Order. 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. Once filed, the Order is deemed to be an Order of the Supreme Court of British Columbia and enforceable as such.



Sean Sisett
Director, Inspections & Case Management

March 4, 2021
Date

Method of Service: email and registered mail