



COMPLIANCE ORDER

IN THE MATTER OF

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

Respondent: Bank of Montreal

Case Number: 31878

Adjudicator: Shahid Noorani

Date of Order: January 6, 2025

In a decision dated January 6, 2025, it was found the Respondent committed two contraventions to the *Business Practices and Consumer Protection Act* ("BPCPA") as follows:

- (i) On March 18, 2024, failing to comply with an Undertaking, contrary to section 189(5)(c)(i) of the BPCPA, that required the Respondent to submit to Consumer Protection BC a report of mortgage discharges for the quarterly period November 1, 2023 to January 31, 2024 within 45 days of the end of that quarter, and
- (ii) On June 14, 2024, failing to comply with an Undertaking, contrary to section 189(5)(c)(i) of the BPCPA, that required the Respondent to submit to Consumer Protection BC a report of mortgage discharges for the quarterly period February 1, 2024 to April 30, 2024 within 45 days of the end of that quarter.

Pursuant to section 155(4)(d) of the *BPCPA*, the Respondent is ordered to do the following:

1. reimburse Consumer Protection BC inspection and legal costs incurred by the Director in respect of the two contraventions referred to in this Compliance Order in the amount of five thousand two hundred and forty-five dollars (\$5,245.00). This reimbursement must be made no later than February 10, 2025.

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 \$311.00 (three hundred and eleven 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:

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. 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.



Shahid Noorani

January 6, 2025

Date