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# NOTICE OF ADMINISTRATIVE PENALTY

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## IN THE MATTER OF

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

**Respondent:** Sealand Travel Inc.

**Adjudicator:** Eileen Diersch, Senior Inspector

**Date of Order:** March 28, 2019

#### CONTRAVENTIONS AND PENALTY

Pursuant to section 166 (1) of the *Business Practices and Consumer Protection Act* ("BPCPA"), after a hearing and decision, I hereby serve notice of the following administrative penalty on the Respondent:

For failing to comply with a Compliance Order dated July 11, 2017, an administrative penalty of **\$5,000.00**.

#### RECONSIDERATION (APPEAL)

Under section 181 of the Act, the Respondent may apply for reconsideration of this Notice within 30 days of receiving it (the Director may extend time for the request if special circumstances exist). The application must be in writing and identify the error the applicant believes has been made or other grounds for reconsideration.

The Director may vary or cancel a penalty only if new evidence has become available that:

- Is substantial and material to the penalty; and
- Did not exist at the time of the original decision or did exist but could not have been discovered at that time through the exercise of reasonable diligence.

Payment of a \$247.00 application fee must be submitted with the request for reconsideration, which will be refunded if the reconsideration results in cancellation of the original determination.

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

Information about the reconsideration process can be found at [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca).

A request for reconsideration must be addressed to:

Consumer Protection BC  
Attn: Shahid Noorani, Vice President, Regulatory Services  
200 – 4946 Canada Way, Burnaby, BC V5G 4H7  
[Shahid.noorani@consumerprotectionbc.ca](mailto:Shahid.noorani@consumerprotectionbc.ca)

**PAYMENT OF THE ADMINISTRATIVE PENALTY**

Pursuant to section 167 of the Act, this penalty in the total amount of **\$5,000.00** must be paid no later than 30 days from the date on which this Notice is served or, if the Respondent requests reconsideration, within 30 days after the date on which the decision of the Director respecting the reconsideration is served.

If the Respondent fails to pay the penalty, Consumer Protection BC may file a certified copy of this Notice with the Supreme Court or Provincial Court and initiate proceedings to recover the penalty as if it were a judgment of the court.

Before filing the Notice in court, Consumer Protection BC must impose an additional penalty equal to 10% of the unpaid penalty.

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\*\*\*original signed\*\*\*

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March 28, 2019

Eileen Diersch, Senior Inspector

Date

Method of Service: Registered Mail and Electronic Mail