

**CONSUMER
PROTECTION BC**

UNDERTAKING

Pursuant to Section 154 of the *Business Practices and Consumer Protection Act*

THIS UNDERTAKING is made with an effective date of March 12, 2020

Between

Service Corporation International (Canada) ULC.,

Doing Business as

Burnaby Funeral Directors Limited (“the Respondent”)

And

Consumer Protection BC (“the Director”)

WHEREAS:

- A. Having regards to funeral services within the meaning of the *Business Practices and Consumer Protection Act* (“BPCPA”), the *Cremation, Interment and Funeral Services Act* (“CIFSA”) and the *Cremation, Interment and Funeral Services Regulation* (“CIFSR”);
- B. The Respondent is a licensed funeral provider (licence number 15882), operating a business located at 4276 Hastings Street, Burnaby, British Columbia, V5C2J6;
- C. The Respondent business is owned by Service Corporation International (Canada) ULC., a publicly traded company.
- D. Inspections (“the Inspections”) were conducted by Consumer Protection BC Inspectors (“the Inspectors”) on August 13, 2018, May 23, 2019 and February 12, 2020;
- E. The Director received information from the Inspector that alleged:
 - i. The Respondent breached Section 12(2) of the CIFSR when it failed to clearly state in contracts, business letterhead and advertising and marketing material of the funeral provider that it is owned in whole or in part by a public company.
 - ii. The Respondent was made first aware of CIFSR 12(2) requirement in a Post Inspection letter dated August 24, 2018.
 - iii. A follow-up inspection was subsequently conducted. The Respondent received a Post Inspection Letter dated May 23, 2019 noting a repeated breach of CIFSR 12(2)

when the price list letterhead made no mention of the Respondent being owned by Service Corporation International (Canada) ULC. The Respondent was given one month to rectify the non-compliance.

iv. Another follow-up Inspection was performed by a Consumer Protection BC inspector (“the 2020 Inspector”) on February 12, 2020. At that time, the 2020 Inspector found the Respondent to again be in breach of Section 12(2) of the CIFSR when it failed to clearly state that Bell & Burnaby Funeral Chapel is a division of Service Corporation International (Canada) ULC on the letterhead of the price list displayed at its business location.

F. Under authority of CIFSA 56(2) and BPCPA 154(1) to (3), the Director will terminate the proceedings commenced by the Inspector against the Respondent upon acceptance of this Undertaking.

NOW, THEREFORE, the Respondent undertakes and agrees with the Director:

1. To immediately amend the schedule of rates (“price list”) required by Section 31(1) of the BPCPA in use at the Respondent’s business address, bringing the document into compliance with CIFSR 12(2).
2. On the day of this Undertaking being signed by the Director and delivered to the Respondent, provide the Director a current copy of the price list noted in item 1 of this Undertaking.
3. On each day of June 30, 2020, September 30, 2020 and December 31, 2020, provide the Director a digital copy of the price list in use at the Respondent’s location on that specific day.
4. Within **7 days** of the date of this Undertaking, to pay to Consumer Protection BC partial inspection costs in the amount of **\$700.00**.
5. This Undertaking is binding on the Respondent until terminated either by the Director or by Order of the Supreme Court of British Columbia.
6. That in addition to rendering the Respondent liable to further penalties and proceedings as provided for under the CIFSA or BPCPA, it is an offence under the CIFSA to fail to comply with any part of this Undertaking that has not previously been terminated.
7. That any communication with the Director in connection with this Undertaking shall be made to the following:

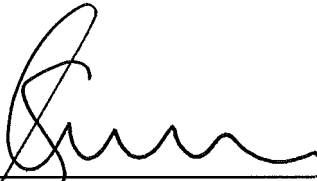
Sean Sisett, Director, Inspections & Case Management
Consumer Protection BC
200 – 4946 Canada Way
Burnaby, BC V5G 4H7
Fax: (604) 320-1663
sean.sisett@consumerprotectionbc.ca

And in the case of the Respondent to the following address:

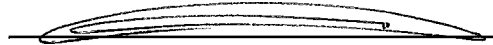
Service Corporation International (Canada) ULC.,
(DBA) Burnaby Funeral Directors Limited
4276 Hastings Street
Burnaby, BC V5C2J6

unless another address for delivery is given to the other party, in writing, by either the Director or the Respondent.

DATED this 12th day of March 2020



Shahid Noorani
Vice President, Regulatory Services
Consumer Protection BC



Burnaby Funeral Directors Limited