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## NOTICE OF ADMINISTRATIVE PENALTY

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### IN THE MATTER OF

***THE BUSINESS PRACTICES & CONSUMER PROTECTION ACT [SBC 2004] c.2***

**Respondents: Springhill Enterprises Ltd. carrying on business as Check Station**

**Adjudicator: Robert Penkala**

**Date of Penalty: May 20, 2020**

### **CONTRAVENTION AND PENALTY**

Pursuant to sections 164 (1) (a) and 166 (1) of the *Business Practices and Consumer Protection Act* (the "Act"), after a hearing and decision under the Act, I serve notice to the respondent of the following:

A penalty of **\$3,000** is imposed for failing to disclose in its payday loan agreements the annual percentage rate of interest ("APR") calculated in accordance with the regulations, contrary to section 112.06 (2)(k) of the Act.

### **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 determination; 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 \$252 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)

Requests for reconsideration must be addressed to:

Consumer Protection BC  
Attn: Shahid Noorani, Vice President of 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 **\$3,000** must be paid by no later than 30 days from the date on which this Notice is served.

If the respondent requests reconsideration, and the decision of Consumer Protection BC respecting the reconsideration does not result in cancellation of the penalty, the penalty is due within 30 days after delivery of the decision.

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.



Robert Penkala, Mgr. Enforcement Hearings

May 20, 2020

Date

Method of Service: \_\_\_\_\_ by email