

THE VALUE OF UCDA MEMBER BENEFITS & SERVICES

Why are you a UCDA member?

Why do you use the UCDA's services and programs like:

- Baird MacGregor for Garage insurance
- NAPA's Parts Program
- Capital Group's UCDA Health Benefits Plan
- Desjardins for merchant credit card rates and their consumer finance program.

Why do you use UCDA searches to get information about vehicles you're buying or taking in on trade?

Every member has their own reasons. An obvious one is that these services and benefits make it easier to operate your dealership profitably and in compliance with legal requirements. That makes perfect sense.

But looking beyond that, there are plenty of other reasons to use UCDA services and participate in UCDA programs. Just a couple include:

- The more members that use our services, the more we can help members by being able to improve and provide more services and keep prices and fees low. By supporting your association and our preferred third party suppliers, you allow us to provide you with better and more far-reaching benefits.
- There is value in supporting YOUR association. The UCDA provides a strong, collective voice for the industry when dealing with OMVIC and government that would otherwise not be available for individual dealers.

Maybe it makes more sense to ask members who don't take advantage of the UCDA's services and benefits, "Why don't you use them?"

We can only speculate that maybe some members don't use a service because they think the cost is too high. Or, maybe they get the service from some other provider and

can't be bothered to change. Or, maybe with searches they're thinking they can save a few dollars now and risk the chance that there may be a lien on a vehicle they sell or hope that a vehicle doesn't have previous accident damage.

Ontariocars.ca ... Free Thru 2018

Members now have a service to help sell vehicles ... Ontariocars.ca. And we really have to wonder why every retail member is not listing their vehicles on the site ... for FREE!

Ontariocars.ca is the UCDA members-only vehicle listing site. We launched the site in late 2017 after repeatedly hearing from members about negative experiences with other sites. Members were asking for a dealer-friendly alternative ... now you have it!

The site has been an immediate success in its first six months. Already, over 1,500 members list nearly 65,000 vehicles on the site. And those numbers are growing every week.

But we ask ourselves, why aren't these numbers even higher, for a site that costs you absolutely nothing to list your inventory during 2018. Yes, it's completely FREE to list your vehicles on Ontariocars.ca for the rest of the year.

With free listings why wouldn't you support YOUR association and help make Ontariocars.ca, YOUR site as successful as the UCDA's other programs?

It's easy to sign up, if you haven't already. Simply log-in with your UCDA account number and password at www.ucdasherches.com and click on **ontariocars.ca**. Follow the simple prompts and you're registered! You'll then receive a confirmation email from Ontariocars.ca and you're on your way. You can easily self-load vehicles onto the site from your phone with the Ontariocars app, or request syndication of your inventory from other listing sites.

For more information or if you have any concerns, please contact support@ontariocars.ca.

Repair Finance Liens

We have reported in the past on companies like Advantagewon Inc. who use the *Repair and Storage Liens Act* ("RSLA") to engage in repair finance. A mechanic who is owed money for repairs can claim a lien interest in, and even repossess, a vehicle.

The RSLA allows the mechanic to assign his repair lien to a third party. The third party pays the mechanic's bill, in return for an assignment of the mechanic's rights under the RSLA, and then assumes the headache of collecting on the debt.

But there has to have actually been a repair in order to assign the debt!

In the latest small claims court case involving Advantagewon, the court found that the mechanic not only never fixed the vehicle, but was never actually in possession of it. The lien claim and the vehicle seizure, by Advantagewon, were therefore, both illegal.

It all started when a Mr. Pawley bought various parts from a repair facility called Northside for just under \$2,000. Northside was supposed to install those products on his 2015 Mitsubishi Lancer, but apparently never did, although Mr. Pawley borrowed \$3,719.57 from Advantagewon to cover the repair costs.

He started making payments in June of 2017, but missed one in November. In December, Advantagewon repossessed his vehicle. By early January the judge observed the debt owing and claimed by Advantagewon had "ballooned" to well over \$5,000.

The judge observed this was not the first such case involving Advantagewon and cited the case of Kevin Connolly from the Ontario Court of Appeal.

The court said:

"I find that neither Northside nor Advantagewon possessed the vehicle or installed the goods purchased. Therefore, the conditions required to create a possessory lien under the RSLA against the vehicle did not arise ... As Northside and Advantagewon never had possession of the article, they cannot give up possession. A non-possessory lien cannot arise. ..."

As no lien rights arose in relation to Mr. Pawley's vehicle, the seizure of the 2015 Mitsubishi Lancer and subsequent charges claimed are contrary to the RSLA and are therefore, wrongful in law.

Advantagewon was ordered to give Mr. Pawley his vehicle back and pay him court costs.

<https://tinyurl.com/yalks47p>

LIEN SEARCHES ~ Volume Discounts

Auto Check ... \$8.00 • Carfax ... \$18.00 • Owner History ... \$16.00
3 Search Power Pack (Lien Search, Auto Check & Owner History) ... \$29.00
www.ucdashsearches.com • 1-800-668-8265

Registration of Motor Homes in Ontario

As the population ages, more and more folks want to enjoy their retirement, or semi-retirement, on the open road. How better to do that than in a living room on wheels? Motor homes have always occupied a special niche market in Ontario and we have quite a few members serving that market.

Classes

- Class "A"** - commonly referred to as buses because of their size and resemblance to motor coach buses.
- Class "B"** - commonly referred to as camper vans, since they are typically constructed using full-size vans that have been stretched in length and height.
- Class "C"** - commonly referred to as mini motor homes, as they have distinctive cab-over-bunk designs. Motor homes often have two Vehicle Identification Numbers ("VIN")

Motor homes are usually constructed in stages. The frame (or chassis) is built by an auto or truck manufacturer, while the body and living area are fabricated by a motor home manufacturer. The frame manufacturer will assign a VIN to the frame before delivering it to a motor home manufacturer. After the vehicle is completely built, a second VIN will be attached to the vehicle's body by the manufacturer.

This VIN is not always found in a standard location. Usually, it's on the driver's side near the bottom of the sidewall. It can also be under the front service access, or on the dash, and sometimes it is in a cabinet near the driver such as a glove compartment. Some units even have a second one on the inside of the main entry door. It's not an exact science!

Always use the second or 'body' VIN when registering a motor home in Ontario.

Using the "wrong" VIN can result in an inaccurate recording of year (the body year is often newer or more recent). In Ontario, the year, make and model, etc., of the motor home will be determined by the VIN found on the body or coach and not the frame or chassis.

What if your motor home has been registered here, or from another Province, using the wrong (frame) VIN?

Visit a Service Ontario licence office and present the following documents:

- The original permit for the motor home; and
- One of the following documents containing the correct year, make and model:
 - original vehicle manufacturer's warranty;
 - copy of manufacturer's invoice;
 - copy of Bill of Sale/Certificate of Sale from original selling dealer;
 - copy of certificate of title/certificate of origin;
 - copy of NVIS, if applicable;

- letter from new vehicle dealer who sells same make of vehicle; or,
- a sworn affidavit from vehicle owner explaining the discrepancy.

This will allow the motor home's information to be changed. This change will update the vehicle information to provide the year, make and model assigned by the motor home manufacturer.

Anti-Spam Update

Watch your "unsubscribe" procedures.

The test is the unsubscribe mechanism. If a customer no longer wants to receive your emails, for example, the unsubscribe option must be "able to be readily performed". In other words, it must be easy to do and user friendly.

Ancestry Ireland Unlimited Company, the international corporate headquarters for Ancestry.com, apparently operated two separate unsubscribe mechanisms, one for messages relating to products and services to which individuals had subscribed and another for other promotional offers.

The CRTC found this separation to be in breach, as it was not possible to unsubscribe from all messages with just one operation, which does not comply with the Regulations.

Ancestry entered into an undertaking (apparently not including any monetary penalty) to implement a compliance program, and to report to the CRTC on its implementation.

<https://tinyurl.com/ycvf95kn>

For more information a dealer-focused Preparedness Guide has been designed <https://tinyurl.com/y9zjq9s6>

This document is used with the kind permission of SCI MarketView, NortonRose and Canadian Auto Dealer. There is more information on all of this available from SCI at <https://tinyurl.com/ya85zefd> or call 888.919.8084.

The CRTC, who is tasked with enforcing CASL, also has a useful website with more information at <https://tinyurl.com/obb5tr7>

Scams – Drivers Licence Not Good Enough

Hopefully, this can stop other dealers from engaging in a deal designed to burn both the dealer and the bank.

Be careful to verify the person in front of you is who they say they are. Don't be afraid to ask for more than one piece of photo ID, it's harder to fake a passport for example than a driver's licence or SIN card.

Fake driver's licences are (unfortunately) a dime a dozen. Often, too much reliance is placed on them to verify identity. This is especially true for dealers and financial institutions looking to establish that the person seeking to buy a car and borrow money is who they say they are. Look at the ID closely and note anything that looks out of place or unusual.

One of our members avoided losing his car and losing a whole ton of money for the bank through his studious use of technology.

The dealer received an online credit application. After contacting the applicant they were sent her driver's license and SIN card. The dealer processed the application and sent it in for approval. After getting an approval from the bank, the purchaser was asked to get insurance and a void cheque which she did.

She left with the vehicle.

Days later, the York Regional Police called to tell the dealer that the vehicle was being investigated for a "gas and dash" at a gas station. After calling the registered owner the police found out that the identity of the owner was stolen and she had not purchased the vehicle.

During the investigation, the dealer reviewed security video recordings and found that the person who purchased the vehicle was dropped off by another vehicle driven by an accomplice. That vehicle turned out to be a rental vehicle.

The dealer contacted the rental company. Their vehicle was 2 weeks overdue and payments on the Visa on file were declined. Luckily the rental vehicle had a tracking device.

The rental company tracked the vehicle to a location where both the dealer's vehicle and the rental vehicle were found.

As you know, most of these stories do not end so happily.

Suspects are described as:

Black male 5'5" slim build 25-35 years of age

White female 5'4" slim build, pale face with acne scars, in her 30's.

If you have contact with or knowledge of these people, who remain at large, please contact:

York Region occurrence number# 18-172883
Officer McCool Badge #2014
905-881-1221 ext. 7200

Toronto Police
Officer Michael Petrakis
Badge #8526
416-808-5500

4th Annual Ruth Hart-Stephens & Bob Beattie Golf Tournament

As most members know, Bob Beattie was one of the original founders of the UCDA who dedicated many tireless years to helping our Association both progress and grow.

Bob was very committed to helping students from the Automotive Business School of Canada, through Georgian College, in Barrie, Ontario. He hired our first co-op student back in January, 1992 and continued to do so frequently thereafter! At last count, we're proud to say the UCDA has hired 94 Automotive Co-op students.

After Bob passed away in 2012, it was very important to the UCDA directors and staff to keep his name at the forefront of the Association.

In 2015, on the 30th anniversary of the UCDA, two scholarships were established to honour Bob's memory.

Both scholarships are awarded to students entering their second year at the Automotive Business School of Canada. One goes to a Degree program student and the other to a recipient in the Diploma program.

That same year, the UCDA joined with Manheim Toronto to co-host the inaugural Ruth Hart-Stephens and Bob Beattie Annual Golf Tournament. Funds raised go towards the two scholarships. Now, four tournaments later, we're very pleased to say we've raised over \$20,000 in total.

This year's tourney was held at the Royal Ontario Golf Club on June 15th. We had a full-house with 144 golfers who all split off at 9:00 a.m. for a shotgun start. All 18 holes were played by 2:30 p.m. and players and sponsors then were welcomed to a buffet, refreshments and an awards ceremony.

The tournament continues to be a great opportunity for our Members to come out, network, meet our service providers and to have a day of fun while doing it all. Please see the photos below for this year's winners.

We'd like to send out a special thank you to everyone who participated! If you didn't make it out this year and you do like to golf (even once in a while), we hope to see you on the greens next year! It's all for a very worthy cause!



The Winning Team (l to r): Carson Way, Ken Morin and Brian Muir. Richard MacDonald not pictured.



Enthusiastic and early-rising UCDA Staff (l to r): Sachin Choudhary, Frank Sorbara, Lorrie Benoit and Michelle Prince.



Eager golfers signing up at the registration table.



Ladies and Gentlemen ... Start Your Engines!