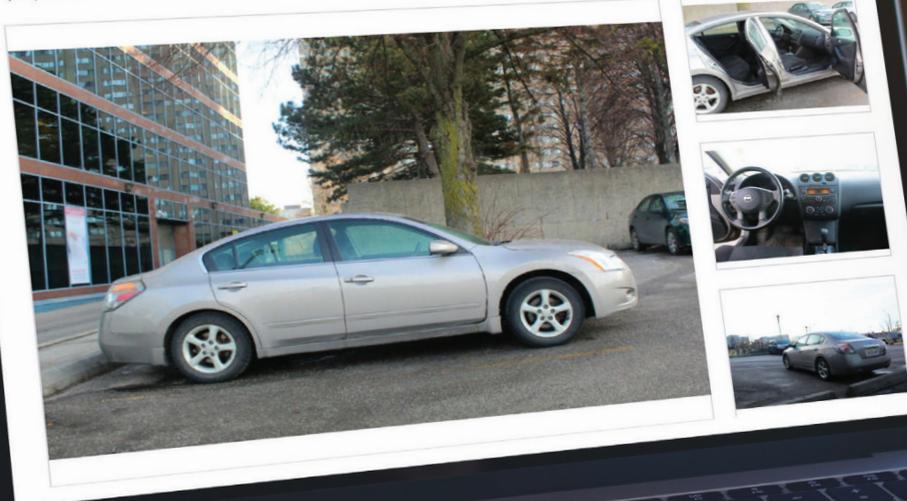


2011 NISSAN ALTIMA SE (ONLY 131 KM) 1 OWNER/NO RUST/NO ACCIDENT

\$5,400.00



Nice used car, eh? No accidents, good price... and only 131,000 kms

ROXY (NOT HER REAL NAME) THOUGHT SO TOO.

Which is why in early 2019 she contacted the private seller and paid him \$5,400 for the car. Unfortunately, the seller turned out to be a curbsider—an illegal, unlicensed dealer posing as a private seller—and the car, well, apparently it had discovered the fountain of youth, because it actually had more than 230,000 kms on it.



“Curbsiders often sell vehicles that are undisclosed rebuilt wrecks or odometer-tampered,” said John Carmichael, CEO and interim Registrar of OMVIC, Ontario’s vehicle sales regulator. “And we have recently seen a significant uptick in the number of vehicles with rolled-back odometers sold by curbsiders.”

So why spin an odometer? Money. “For just a few hundred bucks, a curbsider can roll back the odometer of a vehicle and increase its value by many thousands of dollars,” explained Carmichael, adding that, in some extreme cases, he has seen cars with odometers rolled back as much as 300,000 kms.

HOW TO SPOT A ROLLBACK

Devices capable of reprogramming odometers in many of today’s

computerized vehicles are readily available online, as are “odometer correction services.” Therefore, consumers buying vehicles privately must be extra vigilant. While identifying vehicles with rolled-back odometers can be difficult, there are steps consumers can take that may help spot them:

1. Obtain and carefully examine the Used Vehicle Information Package (UVIP), available from ServiceOntario, and a CarFax history report for historical odometer readings.
2. Have the vehicle inspected. An experienced mechanic/technician may uncover evidence (e.g., unusual wear) that indicates a rollback. An inspection can also alert the buyer to mechanical issues the seller did not disclose or was unaware of.
3. Learn to recognize the warning signs. Vehicles with rolled-back odometers can display signs of advanced wear that are inconsistent with the supposed mileage, including:
 - Worn upholstery or steering wheel
 - Worn suspension components
 - Pitted/sand-blasted windshield
 - Worn rubber pad(s) on brake/gas/clutch pedal(s)

HOW TO SPOT A CURBSIDER

Curbsiders usually pose as private individuals selling their personal vehicles, though some operate from auto repair or body shops. Like a rolled-back odometer, they can be hard to spot, but there are

often tell-tale signs a seller is actually a curbsider:

- Seller has multiple vehicles for sale
- Vehicle is priced below market value
- Vehicle is not registered in seller’s name or has only been registered in his/her name for a short period
- “Private” seller appears to operate from a business
- “Private” seller uses yellow mechanic’s licence plate (or red/white dealer’s plate) to drive vehicle
- Seller discourages purchase of CarFax or UVIP
- Seller refuses vehicle inspection by purchaser’s mechanic
- Seller doesn’t want to provide a receipt or proof of purchase that includes his/her name/address

THE SAFER WAY TO BUY

Consumers who purchase vehicles from private sellers—and that includes curbsiders—are not protected by Ontario’s *Motor Vehicle Dealers Act* (MVDA), *Consumer Protection Act* (CPA) or the *Motor Vehicle Dealers Compensation Fund*. Buying from an OMVIC-Registered Dealer though, gives consumers significant rights.

For example, dealers must disclose the true distance a vehicle has travelled. If they fail to do so, it automatically triggers a customer’s right to rescission (within 90 days of delivery) allowing for cancellation of the contract, the return of the vehicle and receiving all money back. And the

CPA gives a consumer one year from the date of signing a dealer’s contract to request rescission if there is a false, misleading or deceptive representation (e.g., the contract said the car had 150,000 kms on it when it actually had 250,000 kms).

The MVDA also requires dealers to disclose other important information about a vehicle’s past use, history and condition, such as accident repairs greater than \$3,000.

Unfortunately for Roxy, those protections do not apply. And while OMVIC has charged the individual who sold her the car (as well as 23 others with rolled-back odometers to other buyers), Roxy cannot make a claim to the Compensation Fund...she is, unfortunately, like any consumer who buys a vehicle privately, on her own.

Note: OMVIC makes available to the public a list of all individuals/businesses (both curbsiders and registrants) it charges/disciplines on its website, omvic.ca.

FOR MORE INFORMATION ON CURBSIDERS AND OTHER CAR-BUYING ADVICE, VISIT:


Ontario’s Vehicle Sales Regulator