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 October 10th, 2025

Between

The Bank of Nova Scotia dba Scotiabank (the "Respondent")

And

The Director of the Business Practices and Consumer Protection Authority of British Columbia (the "Director")

WHEREAS:

A. As a business participating in debt collection activities, the Respondent has obligations under Part 7 of the Business Practices and Consumer Protection Act ("Act") to operate in compliance with requirements under that Part of the Act.

B. For the purposes of this Undertaking, "collector" has the same meanings as defined under section 113 of the Act;

C. Consumer Protection BC received a complaint from a consumer alleging the Respondent failed to communicate with their lawyer only, after the consumer made several requests to the Respondent, in accordance with section 116(4)(b) of the Act, that notified the Respondent that the consumer wanted further communications from the Respondent to be with their lawyer only.

D. The Complainant alleged that the Respondent continued to contact the Complainant on more than 100 occasions after they made a request under BPCPA 116(4)(b) to be communicated with by the Respondent through their lawyer only.

E. An inspection into the consumer's allegation was conducted by a Consumer Protection BC Inspector Natalie Reid.

F. The Consumer Protection BC Inspector alleged that the Respondent contravened the Act, specifically:

   i. The Respondent contravened BPCPA 116(4)(b) by failing to communicate with the consumer through their lawyer only following requests from a consumer that satisfied requirements under section 116(4)(b) of the Act.

G. The results of the inspection and the allegation arising have been reported to the Director.

H. The Director is prepared to terminate the inspection and any subsequent proceedings resulting from the allegation against the Respondent upon acceptance of this Undertaking.

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

1. By October 17, 2025, the Respondent will create and/or revise existing written policies and procedures about proper handling and management of consumer requests related to communication with the debtor under section 116(4) of the Act.
2. By October 17, 2025, the Respondent will produce a copy of the written policy and procedures described in paragraph 1 of this Undertaking to the Inspector identified in this Undertaking.
3. Following the Inspector's review of the submitted policy and procedures document, the Respondent agrees to make changes to the policy and procedures, as directed by the Inspector to ensure compliance with BPCPA 116(4).
4. Within 60 days of the policy and procedures being approved by the Inspector, the Respondent will share the Inspector approved written policies and procedures with all staff that are involved in debt collection activities.
5. The Respondent acknowledges that the requirement under paragraph 4 of this Undertaking extends to all newly hired staff involved in debt collection, or other staff that may change duties that involve debt collection activities.
6. The Director acknowledges that the policies and procedures the Inspector reviews and approves pursuant to this Undertaking may be subsequently updated from time to time. The Respondent has no obligation to maintain these policies in a form identical to the form approved by the Director. Scotiabank may make changes to these policies and procedures from time to time to respond to technological changes, legislative updates, and for other commercial reasons.
7. The Respondent acknowledges its obligations under section 116 of the BPCPA when making revisions to policies and procedures following the Inspector's review, and acknowledges further that any revised policy and procedure will not be treated as a policy and procedure approved by the Inspector.
8. The Respondent will make payment to the Consumer Advancement Fund in the amount of $33,900. Payment is to be made to Consumer Protection BC within 30 days of the execution of this Undertaking.
9. The Respondent agrees to reimburse the Director costs of the inspection in the amount of $3,351.82. Payment is to be made to Consumer Protection BC within 30 days of the execution of this Undertaking.
10. In consideration of this Undertaking by the Respondent, the Director hereby agrees to terminate the inspection and not to take any proceedings against the Respondent alleging non-compliance with section 116(4) of the BPCPA with respect to the complaint up to the date of this Undertaking.
11. That this Undertaking is binding on the Respondent until it is either terminated in writing by the Director or terminated by Order of the Supreme Court of British Columbia.
12. That the Director may, upon breach of any part of this undertaking by the Respondent, initiate proceedings rendering the Respondent liable to further actions and penalties under the Act. In addition, it is an offence under the Act to fail to comply with any part of this undertaking.
13. That any communication with the Director relating to this undertaking shall be made to the following:

    Shahid Noorani, Vice President
    Consumer Protection BC

200 – 4946 Canada Way
Burnaby, British Columbia V5G 4H7
Fax: (604) 320-1663

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

Accepted and entered into this 10th day of October, 2025.

Signature
Shahid Noorani, Vice President
Consumer Protection BC

Signature (Respondent) Benoit Prevost
VP Canada Collections