

Media Release

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Consumer watchdog prosecutes unlicensed car dealer

An unlicensed car seller from Thebarton has been convicted and fined \$5000 following a recent investigation by South Australia's consumer watchdog, Consumer and Business Services (CBS).

Mr Warren Stocker pleaded guilty in the Adelaide Magistrates Court to breaching the *Second-Hand Vehicle Dealers Act 1995* after admitting he bought 28 cars from Universal Motor Auctions and sold three more in the space of six months without holding a second hand vehicle dealer's licence.

Stocker was detected by CBS during regular monitoring of online advertisements for second-hand cars on popular website Gumtree.

When interviewed, he claimed that he originally bought the cars for other people who then decided they did not want them.

Commissioner for Consumer Affairs, Dini Soulio, said that "in South Australia a person who buys, sells or offers for sale four vehicles in a 12-month period is presumed to be a dealer, and may be subject to enforcement action by CBS. The licensing system exists to protect consumers.

"Backyard car dealers avoid the warranty obligations applicable to purchases of second hand cars from licensed dealers and limit the options for recourse if you purchase a lemon."

This week, Magistrate Harrap recorded a conviction and after allowing a 25 per cent discount for Stocker's guilty plea, ordered a total fine of \$5000. He was also ordered to pay \$800 in prosecution costs.

If consumers have any concerns about their interactions with unlicensed second-hand car dealers they are encouraged to contact CBS on 131 882.

Consumers can check whether a dealer is licenced by searching the CBS Licensing Public Register at <http://pubreg.ocba.sa.gov.au/> or can visit the Personal Property Securities Register to view the history of a vehicle at <http://www.ppsr.gov.au>.