



MEDIA RELEASE

Friday, 12 September 2008

Consumer Action “king-hits” unlicensed motor car trader

Consumer Action has issued two legal proceedings against a Brunswick businessman alleging he is selling poor quality motor vehicles to consumers without a licence.

Celia Tikotin, Director of Legal Practice, said Consumer Action is acting on behalf of two separate clients who each bought cars from Mr Richard King outside his business premises at 51 Weston Street, Brunswick.

“Both of our clients sought our help after they bought cars from Mr King which broke down within days of the sale,” Ms Tikotin said.

“Mr King does not have a motor car trader’s licence but seems to be selling a number of vehicles from his premises.

“We are very concerned about the risks to ordinary members of the public if rogue traders are selling motor vehicles without the appropriate regulatory checks, including safety concerns over vehicles being sold which may not be roadworthy.”

Consumer Action has launched the two proceedings in the Victorian Civil and Administrative Tribunal (VCAT) and the first case will be heard on Monday, 15 September 2008.

Consumer Action is alleging that Mr King has breached the implied condition in the contracts of sale that the vehicles were of ‘merchantable quality’.

“We are arguing that Mr King is deemed to be a motor car trader under the *Motor Car Traders Act* because he is selling or offering to sell numerous vehicles,” said Ms Tikotin.

“We claim that our clients are entitled to damages equal to the amounts they paid under their sale contracts because Mr King is a trader and he sold them cars unfit to drive.”

Carrying on a business of trading in motor cars without a licence is also a criminal offence under the Victorian *Motor Car Traders Act*. Consumer Action has written to Consumer Affairs Victoria asking it to investigate Mr King’s conduct and, if appropriate, bring an action to penalise him for trading in motor cars without a licence.

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