



Civil Resolution Tribunal

Ry - Date Issued: August 23, 2024

File: SC-2023-006705

Type: Small Claims

Civil Resolution Tribunal

Indexed as: *Schild v. Hyundai Auto Canada Corp.*, 2024 BCCRT 822

B E T W E E N :

LIANE SCHILD

APPLICANT

A N D :

HYUNDAI AUTO CANADA CORP.

RESPONDENT

FINAL DECISION

Tribunal Member:

Christopher C. Rivers, Vice Chair

Date of Hearing:

August 12, 2024

DECISION

1. This dispute was about a warranty for repairs to a Hyundai Tucson.

2. Liane Schild claimed \$3,606.55 from Hyundai Auto Canada Corp. The applicant argued that the respondent had to pay for the cost of an engine replacement under the respondent's warranty. The respondent said the applicant did not maintain her vehicle as required under the warranty and so it was not required to pay for any repairs. Ms. Schild represented herself and an employee represented Hyundai Auto Canada Corp.
3. The Civil Resolution Tribunal (CRT) has jurisdiction over small claims brought under section 118 of the *Civil Resolution Tribunal Act* (CRTA). CRTA section 39 says the CRT has discretion to decide the hearing's format. The parties agreed to participate in a mediation-arbitration via videoconference, which took place on August 12, 2024. They did not settle their dispute during mediation, so I converted the mediation to an oral hearing and made a final decision. I provided my decision orally, with reasons, that day.
4. Section 46(3) says that when the CRT gives oral reasons, it only needs to produce formal written reasons if a party requests them. Despite having the opportunity to do so, the parties did not request formal written reasons. CRTA section 85(1) requires the CRT to publish all final decisions but does not require the CRT to publish a record of oral reasons. So, this final decision does not include my reasons.
5. I found in favour of the respondent and dismissed the applicant's claim.

Christopher C. Rivers, Vice Chair