

Vehicle Referral Processing and Disposition Policy

Background

The primary objectives of the *Civil Forfeiture Act* are governed by the Province's requirement to maintain public confidence in the Government and the Civil Forfeiture Office's (CFO) requirement to maintain public confidence in the CFO.

The CFO must balance these objectives against attaining the maximum value for forfeited property and complying with orders that require the Director to safe keep depreciable property such as vehicles.

Referral Processing

Checking for Vehicle Liens in the Personal Property Registry (PPR)

All vehicles must be lien checked. Administrative proceedings cannot be commenced against vehicles with valid liens. If a valid lien is present, a civil proceeding may commence.

Vehicle Storage During Forfeiture Proceeding

Upon file acceptance, the referring agency (if it has the capacity and/or willingness) will continue storing the vehicle. If not, the CFO may agree to relocate the vehicle under the referring agency's custody and control until the conclusion of proceedings.

CFO may arrange for the vehicle to be relocated to an Asset Investment Recovery (AIR) facility or arrange for long term storage at another facility. Considerations for storing vehicles outside of the referring agency include location and security of the storage facility, and cost of the storage fees.

Vehicle Disposition

Once forfeiture is obtained, the vehicle is to be auctioned. After the auction has closed, the Director must approve or decline all auction sales. The Director reserves the right to decline all vehicle auction sales where there is reasonable belief that:

- The vehicle is known within the purchaser's local community for engaging in unlawful activities;
- The vehicle is likely to be returned to the person(s) who engaged in the unlawful activities either for use or for liquidation;
- The vehicle is likely to be used to cause injury to the public or for repeat use as an instrument of unlawful activity; or
- The vehicle is likely to be used to commit unlawful activities again.

If the Director declines the auction sale, the vehicle is to be relisted for auction.

**Alternative Disposal
of Forfeited Vehicles**

For vehicles that have little to no value, or vehicles that are illegal to resell (as per the *Armoured Vehicle and After-Market Compartment Control Act*), the Director may authorize alternative methods of sale and disposal including stripping off and auctioning valuable parts, crushing the body, etc.

**Legislative
Authorities**

Civil Forfeiture Act, SBC 2005, c. 29

Effective Date

August 25, 2012, revised August 12, 2020