

## **CLASS ACTION CONCERNING "ENVIRONMENTAL FEES" CHARGED BY U-HAUL**

On May 21, 2024, the Quebec Superior Court authorized Simon Derome to act as representative in a class action against U-Haul Co. (Canada) Ltée (" **U-Haul** "). The class action alleges that U-Haul charged unadvertised "environmental fees" to consumers who had made "One Way" rental reservations on its website or mobile application.

### **WHO IS AFFECTED?**

You are included in the class action if you meet all of the following criteria:

1. You entered a contract with U-Haul in Quebec, for the rental of a vehicle with return to a location different from the one where it was obtained ("One Way" rental);
2. You made this reservation on the U-Haul website or mobile application;
3. You made this reservation between 27 January 2018 and 31 December 2021;
4. You have paid a fee designated as an "environmental fee".

If you meet these criteria, you may, depending on the final judgment in the case, be entitled to monetary compensation for the "environmental fees" charged to you.

Lawyers' fees will be paid only in the event of success, and according to a percentage of the compensation paid to class members that will be approved by the Court. You therefore have nothing to pay unless you obtain compensation.

### **YOU CAN EXCLUDE YOURSELF UNTIL APRIL 15, 2025.**

If you do not take any action, you will be a member of the class and will be bound by any judgment rendered in this litigation.

If you do not wish to be a member of the class for any reason, you may opt out from the class action.

If you opt out, you will not be entitled to any compensation if a favorable judgment or settlement is reached in this case.

You have until **April 15, 2025** to opt out of the class action.

To opt out, you must **send a letter to this effect to the clerk of the Superior Court of Quebec**, indicating court number 500-06-001188-222.

**Office of the Superior Court of Quebec**

1 Notre-Dame Street East  
Montreal, Quebec H2Y 1B

Although not required, counsel for the plaintiff suggest that a copy of this letter also be sent at the following address:

**Trudel Johnston & Lespérance**

750 Côte de la Place d'Armes, Suite 90  
Montreal, Quebec H2Y 2X8  
[info@tjl.quebec](mailto:info@tjl.quebec)

**THE NEXT STEPS**

The authorization decision is a preliminary step that allows the class action to commence. The authorization decision has not determined whether U-Haul is in fact liable. U-Haul will be able to present their defenses at trial.

Following the trial, which will take place in the district of Montreal, the Superior Court will decide whether U-Haul should be ordered to compensate the class members, and if so, by how much.

To do so, the trial judge will have to answer questions that have already been determined by the Court in its authorization decision, along with the conclusions sought. These questions and conclusions can be found in Appendix A.

**YOU CAN ASK TO INTERVENE**

A member may apply to the Court to intervene in the class action. The Court will allow the intervention if it believes it is helpful to the class members.

**FOR MORE INFORMATION**

If you wish to receive information on the progress of the case, you can subscribe the mailing list for this case on Trudel Johnston & Lespérance's website by filing out this form: <https://tjl.quebec/en/class-actions/u-haul-vehicle-one-way-rental-service/>


**IMPORTANT. Your subscription to the newsletter is not a claim!** If the class action is successful, you will have to file your claim following the procedure determined by the court.

You can also consult the Class Action Registry where all proceedings must be published: <https://www.registredesactionscollectives.quebec/>.

If you have any questions, you can contact Mr. Derome's lawyers using the information below:



TRUDEL JOHNSTON & LESPÉRANCE  
750, Côte de la Place d'Armes  
bureau 90  
Montréal (Québec) H2Y 2X8  
Ligne sans frais : 1 844-588-8385  
[info@tjl.quebec](mailto:info@tjl.quebec)

GRENIER VERBAUWHEDE |  VOCATS INC.  
5215, rue Berri, bureau 102  
Montréal (Québec) H2J 2S4  
Téléphone : 514 866-5599  
[info@grenierverbauwhede.ca](mailto:info@grenierverbauwhede.ca)

## APPENDIX A

### **QUESTIONS AND CONCLUSIONS AUTHORIZED BY THE COURT** ***[Unofficial translation]***

#### **The questions authorized by the Court:**

1. Did the defendant advertise on its website and mobile application, lower prices than those ultimately charged, thereby contravening section 224(c) CPA?
2. Are members of the Group entitled to a reduction in the rental price corresponding to the difference between the advertised price and the price charged, less the taxes and duties provided for in the exceptions to article 224(3) CPA and article 91.8 RALPC?
3. Should the defendant be ordered to pay punitive damages to the members of the class?
4. Can the claims of the members be recovered collectively?

#### **The conclusions sought and authorized by the Court:**

5. **CONDEMN** the defendant to pay the amount of "environmental costs" charged, all taxes included, with legal interest and additional indemnity from the date of the application for authorization;
6. **CONDEMN** the defendant to pay punitive damages in an amount to be determined, with legal interest and additional indemnity from the date of the judgment to be rendered.
7. **ORDER** the collective recovery of these sums;
8. **THE WHOLE**, with legal costs, including costs of experts, and of fees and expenses of an administrator.