

Government of the Province of Alberta
Department of Service Alberta

Notice of Administrative Penalty

File: 29706
30152

To: Financial Debt Recovery Limited
40 West Wilmot St. Unit 10
Richmond Hill ON L4B 1H8

After reviewing the information available to me, I have concluded that Financial Debt Recovery Limited has contravened s. 12 (1)(i), s. 12 (1)(k), s. 12 (1)(x), s. 23.2, and 23.3 (1) of the Collection and Debt Repayment Practices Regulation in respect of which an administrative penalty may be imposed. Particulars of the contravention are as follows:

Date(s) of Contraventions:

March 10, 2014 to September 9, 2014

Location(s) of Contravention:

Edmonton, Alberta
Fort McMurray, Alberta

Details:

Financial Debt Recovery Limited engaged in collection activities in Alberta a manner that constituted harassment and a breach of s. 12 (1)(i) of the Collection and Debt Repayment Practices Regulation.

Financial Debt Recovery Limited failed to take reasonable precautions or cease collection activity after being advised that a person was not the debtor, resulting in a breach of s. 12 (1)(k) of the Collection and Debt Repayment Practices Regulation.

Financial Debt Recovery Limited engaged in collection activities in Alberta on debt outside the six year limitation period established by s. 12 (1)(x) of the Collection and Debt Repayment Practices Regulation.

Financial Debt Recovery Limited failed to provide a total accounting of a debt upon receipt of a written request and did not cease collection activity in accordance with s. 23.2 of the Collection and Debt Repayment Practices Regulation.

Records related to collection activity in Alberta by Financial Debt Recovery Limited collectors were not created and maintained in accordance with s. 23.3(1) of the Collection and Debt Repayment Practices Regulation.

I have assessed a total administrative penalty of \$2750 for the above breaches of the Collection and Debt Repayment Practices Regulation.

This notice of administrative penalty on Financial Debt Recovery Limited has been served pursuant to section 158.1(1) of the *Fair Trading Act* and the Administrative Penalties (*Fair Trading Act*) Regulation, AR135/2013, for the reasons set out in the attached Decision Letter.

You are required to submit payment for the administrative penalty within thirty days of the date of service of this Notice. Failure to pay the administrative penalty will result in a review of the license status.

If payment has not been received in this time period, the Notice may be filed in the Court of Queen's Bench and enforced as a judgement of that Court pursuant to section 158.4 of the *Fair Trading Act*.

Date this 12th day of January, 2015.



Darren Thomas
Director of Fair Trading (as delegated)

Payment of an Administrative Penalty

A person who pays an administrative penalty in respect of a contravention or a failure to comply shall not be charged under the *Fair Trading Act* with an offence in respect of the same contravention or failure to comply that is described in the Notice.

Right of Appeal

Section 179 of the *Fair Trading Act* provides a right to appeal this decision. The appeal may be sent to the Minister of Service Alberta c/o the Director of Fair Trading at 3rd Floor, Commerce Place 10155-102 Street Edmonton, Alberta T5J4L4.

The appeal must be received within 30 days of the date you received the Notice of Administrative Penalty. The time period is strictly enforced. Your appeal must include the following information: 1) reason that you are appealing, 2) the decision being appeal, 3) your name, and 4) your address for service. Pursuant to the section 4 of the Administrative Penalties (Fair Trading Act) Regulation, AR135/2013, the appeal fee is \$1000.

Payment Information

You may pay this administrative penalty by cheque or money order payable to the Government of Alberta. A copy of this notice should be included with your cheque or money order.

Payment should be mailed to:

3rd Floor, Commerce Place, 10155 102 Street, Edmonton AB T5J 4L4