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**DIRECTOR'S ORDER UNDER SECTION 157  
OF THE *FAIR TRADING ACT*  
TO  
AZUMA EXTERIORS INC.  
AND TO  
LEO ALCIDE JEAN, DIRECTOR  
AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF  
AZUMA EXTERIORS INC.  
OR  
LEO ALCIDE JEAN**

This Director's Order was issued under s. 157 of the *Fair Trading Act* in response to, in the opinion of the Director, contraventions of the Act. As mandated by s. 157.1 of the *Fair Trading Act*, this Director's Order is part of the public record.

For more information on the Fair Trading Act, business licensing in Alberta or to search for a licensed business, please click here:

[Search for a Licensed Business, Charity or Fundraiser](#)

To view a tipsheet on this business licence category, please click here:

[Tipsheets](#)

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**Issues**

On or about September 4, 2014 Service Alberta, Consumers Investigations Unit conducted a proactive initiative to determine whether certain contractors in the Edmonton area were operating as a prepaid contracting business without possessing a prepaid contracting business licence. Among those contractors was Mr. Leo Alcide Jean operating as of Azuma Exteriors Inc. On September 4, 2014 Mr. Jean negotiated a contract with an investigator and stated that he would require a deposit prior to ordering any materials for the installation of siding on the house.

This activity constitutes a "prepaid contracting business" requiring a person or business to be licensed under Section 104(1) of the *Fair Trading Act*. A Prepaid Contracting Business means the activities of soliciting, negotiating or concluding in person, at any place other than the seller's place of business, a construction or maintenance contract in which all or part of the contract price is to be paid before all of the goods or services called for in the contract are provided.

As of December 9, 2014 a license application has not been submitted to Service Alberta. There is a high likelihood that the supplier will continue to enter into prepaid contracts in Alberta without possessing a prepaid contracting business license, in violation of the *Fair Trading Act*.

**ORDER**

- Azuma Exteriors Inc. must immediately:
  - cease from entering into prepaid contracts (accepting down payments, deposits or progress payments before the work is fully completed on contracts solicited, negotiated or concluded in person away from the company's place of business) with residential consumers until the licensing requirements have been met; and
- Leo Alcide Jean, either in his own capacity or when acting on behalf of a corporation which he represents or in which he has an interest, must immediately:
  - cease from entering into prepaid contracts (accepting down payments, deposits or progress payments before the work is fully completed on contracts solicited, negotiated or concluded in person away from his place of business) with residential consumers until the licensing requirements have been met; and
- Any employee, representative, agent or associate of Leo Alcide Jean must immediately:
  - cease from entering into prepaid contracts (accepting down payments, deposits or progress payments before the work is fully completed on contracts solicited, negotiated or concluded in person away from their place of business) with residential consumers until the licensing requirements have been met.

**NON COMPLIANCE WITH ORDER**

- **ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER OF THE DIRECTOR UNDER SECTION 157 OF THE *FAIR TRADING ACT* CONTRAVENES THIS ACT AND IS GUILTY OF AN OFFENCE AND MAY BE PROSECUTED PURSUANT TO SECTION 163 OF THE *FAIR TRADING ACT*.**



Scott Hood  
Director of Fair Trading (as delegated)  
December 9, 2014