

DAVID FRASER
OPERATING AS
DAVE'S RENOS AND REPAIRS
AND TO
ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
DAVID FRASER AND/OR DAVE'S RENOS AND REPAIRS

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 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](#)



Service Alberta

Consumer Programs

Commerce Place
10155 - 102 Street
Edmonton, Alberta
Canada T5J 4L4

Telephone (780) 422-8166
Fax (780) 427 3033

DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT

TO

DAVID FRASER OPERATING AS DAVE'S RENOS AND REPAIRS

AND

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF DAVID FRASER

ISSUE

On or about October 13, 2011, David Fraser entered into a contract with a consumer in person at the consumer's residence for work on that residence. The contract included the supply and installation of seven windows and two doors. The total price of this contract was \$9,417.45, of which \$4,708.73 was paid before work began. A further payment of \$1,000 was made before the work was finished. The work required by the contract has been completed, though the consumer has raised some concerns about the installation.

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.


David Fraser has entered into a prepaid contract with a consumer without holding this licence. As of January 2013, he was informed of the prepaid contracting licence requirement. Although Mr. Fraser has verbally advised he intends to cease operating as a prepaid contractor, he has not provided Service Alberta with written confirmation of this intention. As such, there is the potential he may enter into prepaid contracts with residential consumers in the future without a licence, in violation of the *Fair Trading Act*.

ORDER

- David Fraser, either in his own capacity or when acting on behalf of a corporation in which he has an interest or by which he is employed, must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed) with residential consumers until licensing requirements have been met.
- Any employee, representative, agent or associate of David Fraser must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed) with residential consumers until 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)
May 13, 2013