

KEVIN SCHEIRIS
OPERATING AS
EASY LIVING DESIGN LIMITED

This Director's Order was issued under s. 157(1) 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*, the Director must maintain a public record of Director's Orders.

KEVIN SCHEIRIS, operating as EASY LIVING DESIGN LIMITED has appealed this Director's Order. The appeal hearing concluded on **April 25, 2013**. **The appeal board confirmed all provisions of the Director's Order.**

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

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

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

TO

KEVIN SCHEIRIS

o/a EASY LIVING DESIGN LIMITED

OR

ANY EMPLOYEE REPRESENTATIVE, AGENT OR ASSOCIATE OF KEVIN SCHEIRIS
o/a EASY LIVING DESIGN LIMITED

Issues

Easy Living Design Ltd. through its operator Kevin Scheiris operates a Sunroom, Patio Cover and Screen room business, manufacturing and supplying Sunrooms, Patio Cover and Screen room products to consumers. Easy Living Design Ltd. is licensed with Service Alberta as a Direct Selling Business. Information has come our attention that Easy Living Design Ltd. has solicited, negotiated or concluded renovation contracts, at other than the seller's place of business and has required deposits and or progress payments to be paid before all the goods or services under the contracts were provided.

The activity constitutes a "Prepaid Contracting Business" requiring Easy Living Design Ltd. to be licensed as a Prepaid Contracting Business as required 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 prepaid contract.

A "Prepaid contract" means a construction or maintenance contract in which all or part of the contract price is to be paid before all the goods or services called for in the contract are provided.

A "Construction or Maintenance Contract" in part means a contract for the purpose of, construction, altering, maintaining, repairing, adding to or improving persons own private dwelling or structure/building located on the same property, used in connection with a person's own private dwelling/building/structure.

Further information indicates; contracts being negotiated by Easy Living Design Ltd. fail to meet the disclosure requirements of section 35 of the *Fair Trading Act*, relating to either Direct Sales Contracts or Prepaid Contracts.

Section 35 of the *Fair Trading Act* requires a Direct Sales or Prepaid Contract to contain specific prescribed information.

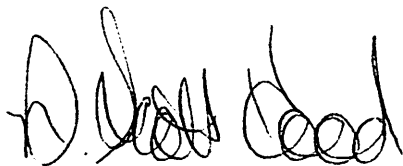
Order

Kevin Scheiris o/a Easy Living Design Ltd. and any individuals who are employed by, representing, acting as agent for or otherwise associated with Kevin Scheiris o/a Easy Living Design Ltd must immediately;

- Cease entering into "Prepaid Contracts" (Taking down payments, deposits or progress payments before the work is fully completed) until the Prepaid Contracting Business Licensing requirements have been met
- Serve no role in the in the construction, alteration, maintenance, repair, addition or improvement of a persons private dwelling or structure/building located on the same property until licensed as a Prepaid Contracting Business.
- Upon issuance of a Prepaid Contracting Business Licence, ensure all Direct Sales contracts comply with the disclosure requirements of Section 35 of the *Fair Trading Act*

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)
January 12, 2010