

TREVOR MUELLER
TO
GOLD CREEK BUILDERS INC.
AND TO
ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE OF
TREVOR MUELLER AND GOLD CREEK BUILDERS INC.

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:

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

TO

TREVOR MUELLER

TO

GOLD CREEK BUILDERS INC.

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE OF TREVOR
MUELLER AND GOLD CREEK BUILDERS INC.**

ISSUES:

- Trevor Mueller and Gold Creek Builders Inc. negotiated or concluded in person away from their business premises a residential renovation contract with a consumer. The respective contract was entered into on June 15, 2012. The consumer provided a deposit and/or a progress payment before the contract was completed.
- This activity constitutes a "Prepaid Contracting Business" requiring Trevor Mueller and Gold Creek Builders Inc. to be licensed as required under Section 104 (1) of the *Fair Trading Act*.
- At the time of entering into the prepaid contract with this consumer, Trevor Mueller and Gold Creek Builders Inc. were not 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.

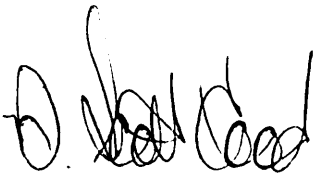
- A "Prepaid Contract" means a construction or maintenance contract in which all or part of the contract price is to be paid before all of the goods or services called for in the contract are provided.
- A "Construction or Maintenance Contract" in part means a contract for the purpose of constructing, altering, maintaining, repairing, adding to or improving a person's own private dwelling or a structure/building located on the same property, used in connection with a person's own private dwelling or improving real property to be used in connection with the person's own private dwelling/building structure.

ORDER:

- Trevor Mueller, individually or through any employee, representative, agent or associate must immediately stop engaging in the activities of a "Prepaid Contracting Business" by soliciting, negotiating or concluding in person, at any place other than the seller's place of business, a prepaid contract.
- Gold Creek Builders Inc. through any employee, representative, agent or associate must immediately stop engaging in the activities of a "Prepaid Contracting Business" by soliciting, negotiating or concluding in person, at any place other than the seller's place of business, a prepaid contract.

NON COMPLIANCE WITH THE 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)
March 18, 2013