

RAY LEBLANC
AND
HOME SMART RENOVATIONS
AND
ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
RAY LEBLANC AND
HOME SMART RENOVATIONS

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:

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[Tipsheets](#)

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

TO

RAY LEBLANC

AND

HOME SMART RENOVATIONS

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, OR AGENT
OF RAY LEBLANC AND HOME SMART RENOVATIONS**

Issues

Ray LeBlanc and Home Smart Renovations operate a prepaid contracting business where contracts or portions thereof are often solicited, negotiated, or concluded at a consumer's home and a consumer is required to pay deposit or progress payments prior to the completion of work.

On or about September 5, 2013 Service Alberta, Consumers Services conducted a proactive initiative to determine whether certain contractors in the Edmonton area were operating as a prepaid contracting business without the proper license. Among those contractors was Mr. LeBlanc of Home Smart Renovations. On September 5, 2013 Mr. LeBlanc negotiated a contract with the operative and stated he would accept a deposit for installation of cabinets and countertops, despite Mr. LeBlanc's awareness of prepaid contractor requirements.

This activity constitutes a "prepaid contracting business" which requires 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.

Mr. LeBlanc applied for a prepaid contracting business licence in February of 2013. Despite efforts of the licensing officer, Service Alberta never received a sales contract that complied with the Act nor did we receive the required security. The file was eventually closed in April of 2013 and the licence fees refunded. As of November 25, 2013 no further attempts to obtain a licence have been made to Service Alberta.

In light of the attempts to successfully ensure compliance, the potential strongly remains that the supplier will at some future time enter into prepaid contracts in Alberta without a license in violation of the *Fair Trading Act*.

Order

- Ray LeBlanc must immediately cease entering into prepaid contracts (taking deposits or progress payments before the work is fully completed) until the licensing requirements have been met in full.
- Individuals who are employed by, representing, acting as agent for or otherwise associated with Ray LeBlanc must immediately cease entering into prepaid contracts (taking deposits or progress payments before the work is fully completed) until licensing requirements have been met in full.

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)
November 25, 2013