

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

TO

JEFFREY GORDON FORBES

AND TO

LIFESTYLE DECK & RENOVATIONS LTD.

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE OF JEFFREY
GORDON FORBES AND LIFESTYLE DECK & RENOVATIONS LTD.**

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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Background and Issues

Lifestyle Deck & Renovations Ltd. solicited, negotiated, or concluded in person away from their business premises a residential renovation contract with Alberta consumers. The respective contract was entered into on April 22, 2013. In this instance the consumers provided deposit and progress payments before the contract was completed.

This activity constitutes a "Prepaid Contracting Business" requiring Jeffrey Gordon Forbes and/or Lifestyle Deck & Renovations Ltd. to be licensed as required under Section 104(1) of the *Fair Trading Act*.

At the time of entering into the prepaid contact with these consumers, Jeffery Gordon Forbes and/or Lifestyle Deck & Renovations Ltd. was 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 purposes 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 conjunction with the person's own private dwelling or improving real estate property to be used in connection with the person's own private dwelling / building / structure.

Order

- Jeffrey Gordon Forbes 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.
- Lifestyle Deck & Renovations Ltd. 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 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)
July 11, 2014