

**MER HOME INSPECTOR
AND TO
EMIL RADITA
AND TO
ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
MER HOME INSPECTOR AND/OR EMIL RADITA**

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*, 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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Service Alberta

Consumer Programs

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

TO

MER HOME INSPECTOR

AND TO

EMIL RADITA

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
MER HOME INSPECTOR AND/OR EMIL RADITA**

BACKGROUND AND ISSUES

Consumer Services, Investigation Services South became aware of Emil RADITA operating as MER Home Inspector when a formal complaint was received from a licensed home inspector who claims to have received complaints from his customers regarding Emil RADITA.

RADITA advertises on kijiji that he is "a certified home inspector who is on the buyer's side." MER Home Inspector/Emil RADITA has confirmed with Service Alberta, Consumer Services, Investigative Services South that he is operating as a home inspector.

This activity constitutes a "home inspection business" requiring a person or business to be licensed under section 104(1) of the *Fair Trading Act*. Each home inspector working for a home inspection business must also possess a home inspector license under section 104(1) of the *Fair Trading Act*. A Home Inspection Business means the activity of providing home inspection services to consumers. A home inspection is an opinion as to the condition of a dwelling based primarily in a non-invasive examination of readily accessible features and components of a dwelling. Neither a home inspector nor a home inspection business may provide a consumer with an estimate of the cost of any repair or improvement to a dwelling as a result of a home inspection.

Emil RADITA has operated as a home inspector and a home inspection business without possessing either required license. As of February 2013 he was informed

of the home inspection business requirement. Despite this, RADITA continues to advertise on kijiji and has responded to emails to conduct home inspections and has not applied for the necessary license.

ORDER

- Emil RADITA, either in his own capacity or when acting on behalf of a company or corporation in which he has an interest or by which he is employed, must immediately cease operating as a home inspection business and cease acting as a home inspector until licensing requirements have been met, and must not provide an estimate of the cost of any repair or improvement to a dwelling to a consumer in connection with a home inspection report.
- Any current or future company or corporation, of which Emil RADITA is a shareholder or director of that corporation or of its parent corporation, must immediately cease operating as a home inspection business and cease acting as a home inspector until licensing requirements have been met, and must not provide an estimate of the cost of any repair or improvement to a dwelling to a consumer in connection with a home inspection report.
- Any employee, representative, agent or associate of Emil RADITA must immediately cease operating as a home inspection business and cease acting as a home inspector until licensing requirements have been met, and must not provide an estimate of the cost of any repair or improvement to a dwelling to a consumer in connection with a home inspection report.

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)
April 8, 2013