
**DIRECTOR'S ORDER UNDER SECTION 157
OF THE *FAIR TRADING ACT*
TO
MIRACLE MECHANICAL LTD.
AND TO
ROBERT WIGGER, DIRECTOR
AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
MIRACLE MECHANICAL LTD.
AND/OR OF
ROBERT WIGGER**

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:

[Search for a Licensed Business, Charity or Fundraiser](#)

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

[Tipsheets](#)

Consumer Programs

Commerce Place
10155 - 102 Street
Edmonton, Alberta
Canada T5J 4L4

Telephone 780-422-8166
Fax 780-427-3033

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

TO

MIRACLE MECHANICAL LTD.

AND TO

ROBERT WIGGER, DIRECTOR,

**AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
MIRACLE MECHANICAL LTD. AND/OR OF ROBERT WIGGER**

ISSUES

From July 10 to September 18, 2014 the Consumer Investigations Unit undertook a proactive investigation initiative to review contractors operating in the Edmonton area to confirm whether these businesses were continuing to operate as prepaid contractors without proper licensing. Miracle Mechanical Ltd. was one of the contractors selected for review during this initiative.

On August 7, 2014 Robert Wigger, director of Miracle Mechanical Ltd. came to a residential property and met with an investigator who was posing as the homeowner. While on site, he negotiated a contract to supply and install a furnace, hot water heater, and ductwork in the house. Mr. Wigger later confirmed the contract would total \$8980 plus GST, and that he normally took 20 percent for materials before work was completed.

This activity constitutes a "prepaid contracting business" requiring 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.

Robert Wigger, on behalf of Miracle Mechanical Ltd., negotiated a prepaid contract for work on a personal residence without holding a prepaid contracting business licence. In January 2014, Mr. Wigger was informed of the prepaid contracting licence requirement, yet appears to continue to operate in this fashion. Although he has stated he will cease operating as a prepaid contractor, and will obtain a licence if he does operate this way in the future, there is the potential he may enter into prepaid contracts with residential consumers in the future without a licence, in violation of the *Fair Trading Act*.

ORDER

- Miracle Mechanical Ltd. must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed on contracts solicited, negotiated or concluded in person away from his place of business) with residential consumers until licensing requirements have been met.
- Robert Wigger, either in his own capacity or when acting on behalf of a corporation which he represents or in which he has an interest, must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed on contracts solicited, negotiated or concluded in person away from his place of business) with residential consumers until licensing requirements have been met.
- Any employee, representative, agent or associate of Miracle Mechanical Ltd. and/or Robert Wigger must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed on contracts solicited, negotiated or concluded in person away from their place of business) with residential consumers until licensing requirements have been met.

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)
December 10, 2014