

PAMELA VANBERG
AND TO
ANY EMPLOYEE, REPRESENTATIVE, OR AGENT
OF
PAMELA VANBERG

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.

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

TO

PAMELA VANBERG

AND TO

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
PAMELA VANBERG

BACKGROUND AND ISSUES

Calgary Motorhome Inc., Calgary Motorhome Club, Canada Motorhome Inc., Canada Motorhome Club, AB Luxury RV Inc., AB RV, and RV Owner Group have presented its business practice through its operator, Pamela Vanberg, as a business primarily offering membership to a timeshare style of fractional motorhome use or ownership.

Ms. Vanberg enters into contracts, or "membership agreements" with consumers after she has represented to offer motorhomes available through a fractional usage ownership program. Consumers were solicited to pay a membership fee entitling the consumer to fractional usage of a motorhome in conjunction with other members involved in the program. Membership fees range from approximately \$5,000.00 to \$45,000.00.

Ms. Vanberg also has offered "parking stalls" to RV owners, generally for a fee of at least \$5,000. This entitled the consumer to an indoor heated parking stall in a building soon to be built. The building does not ever materialize and the consumer does not receive a parking stall after paying the fee.

Ms. Vanberg has a further business scheme by offering consumers the option to buy into a type of resale program, by purchasing the Motorhome timeshare membership for a fixed dollar amount; often approximately \$10,000. Once the initial deposit has been paid, Ms. Vanberg then states she will facilitate the resale of the consumer's motorhome timeshare contract for twice the amount of purchase and return to the consumer twice the amount paid: \$20,000.

Ms. Vanberg then offers a refund to consumers unhappy with the motorhome program, parking stall or investment membership. Consumers cancelled their contracts with Pamela Vanberg and the associated business in order to receive said refund. In each circumstance, Ms. Vanberg acknowledged the request for cancellation to the consumer and agreed to the refund the funds paid to the motorhome company back to the consumer. In the majority of circumstances, Ms. Vanberg failed to provide the refund as represented. Consumers cite excuses for the failure to provide the product, service or refund to be repetitive, and in some cases in excess of 100 fraudulent statements (per consumer) regarding the failure to provide the product, service or refund.

It is believed Ms. Vanberg offers false statements of membership services and refunds under the pretense and guise of operating a fractional use motorhome program in an attempt to solicit large amounts of monies from consumers. The goods and services Ms. Vanberg sells could not be provided when the company, nor Ms. Vanberg, had any means of fulfilling the contracted services. This is in contravention of section 6(4)(a) of the *Fair Trading Act*.

After soliciting money under false pretenses, Ms. Vanberg often shuts down the business used to solicit the funds, indicating business failure as a reason, then proceeds to open a new business with the same operating principals and solicits further contracts.

Ms. Vanberg sells motorhome memberships when she knows or ought to know that she cannot provide the service, as there are generally no motorhomes available to supply to the consumer, nor a building to park RV's. This is in contravention of section 6(4)(k) of the *Fair Trading Act*.

After the sale of memberships, Ms. Vanberg books dates for consumers for usage of a motorhome for their vacation, however, when the date arrives, there are no motorhomes to supply for the given dates. This is in contravention of section 6(4)(n) of the *Fair Trading Act*.

ORDER

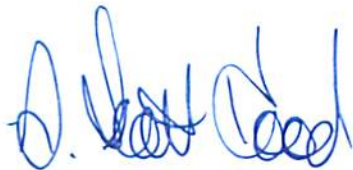
- Pamela Vanberg, either in her own capacity or when acting on behalf of a company or corporation in which she has an interest or by which she is employed, must immediately cease accepting or collecting any funds from a consumer until the business is in a suitable position to provide the product or service that is being specified.
- Any current or future company or corporation, of which Pamela Vanberg is a shareholder or director of that corporation or of its parent corporation, must immediately cease accepting or collecting any funds from a consumer until the business

is in a suitable position to provide the product or service that is being specified.

- Any employee, representative, agent or associate of Pamela Vanberg must immediately cease accepting or collecting any funds from a consumer until the business is in a suitable position to provide the product or service that is being specified.

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)
January 28, 2014