
DIRECTOR'S ORDER UNDER SECTION 157

OF THE *FAIR TRADING ACT*

TO

PASQUALINO (LINO) SISTO SANTORO

AND

SANTORO'S CONCRETE INC.

AND TO

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF

PASQUALINO (LINO) SISTO SANTORO OR SANTORO'S CONCRETE INC.

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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ISSUE

On or about June 19, 2012 Pasqualino Sisto Santoro negotiated and concluded a contract in person with a consumer for the construction of a garage foundation on a personal residence. The total price of this contract was \$25,000.00, of which \$27,074.25 was paid before work was completed. Although this contract is in the personal name of Pasqualino Sisto Santoro, part of the payment of the contract was made to the corporation Santoro's Concrete Inc.

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 contact price is to be paid before all of the goods or services called for in the contract are provided.

Pasqualino Sisto Santoro has entered into a prepaid contract without holding a prepaid contracting business license. As of March 28, 2013 Mr. Pasqualino Sisto Santoro was informed of the prepaid contracting license requirement, but has yet to obtain the required license nor has he responded to the Consumer Investigations Unit enquiries regarding this contract.

The contract used did not comply with the requirements of the *Fair Trading Act* and the consumer was not provided with a refund of all monies paid within 15 days of the contract being cancelled.

ORDER


- Pasqualino Sisto Santoro, either in his own capacity or when acting on behalf of a corporation in which he has an interest or by which he is employed, must immediately
 - cease entering into prepaid contracts (as defined by the *Designation of Trades and Businesses Regulation*) with residential consumers until the licensing requirements have been met.
 - ensure the contracts being used comply with the *Fair Trading Act*.
 - ensure refunds are provided to consumers on contracts cancelled as allowed by the *Fair Trading Act*.

- Santoro's Concrete Inc. must immediately
 - cease entering into prepaid contracts (as defined by the *Designation of Trades and Businesses Regulation*) with residential consumers until the licensing requirements have been met.
 - ensure the contracts being used comply with the *Fair Trading Act*.
 - ensure refunds are provided to consumers on contracts cancelled as allowed by the *Fair Trading Act*.

- Any employee, representative, agent or associate of Pasqualino Sisto Santoro or Santoro's Concrete Inc. must immediately
 - cease entering into prepaid contracts (as defined by the *Designation of Trades and Businesses Regulation*) with residential consumers until the licensing requirements have been met.
 - ensure the contracts being used comply with the *Fair Trading Act*

NON COMPLIANCE WITH ORDER

ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER OF THE DIRECTOR UNDER SECTION 157 OF THE *FAIR TADING ACT* CONTRAVENES THIS ACT AND IS GULTY 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