

**KEVIN RUSSELL POORMAN  
MAYRANN JUNE POORMAN  
MUDD DAWGZ 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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**DIRECTORS ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT**

**TO**

**KEVIN RUSSELL POORMAN**

**TO**

**MARYANN JUNE POORMAN**

**TO**

**MUDD DAWGZ CONCRETE INC.**

**TO**

**ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE OF MUDD DAWGZ  
CONCRETE INC.**

**ISSUES:**

Kevin Poorman and Maryann Poorman of Mudd Dawgz Concrete Inc. solicited, negotiated and concluded in person a residential construction contract on or about July 1, 2007 with \_\_\_\_\_ to clear a site for a garage pad, pour concrete footings and to pour the garage pad at the \_\_\_\_\_ residence.

At the time the contract was entered into a \$5000 deposit was requested and \_\_\_\_\_ provided the Poorman's with a check for that amount. At the time the check was provided to the Poorman's, no work had been done.

On July 3, 2007 Mr. Galloway replaced the check with a \$5000 cash deposit. The Poorman's provided a receipt for the \$5000 on invoice 159463. At the time \_\_\_\_\_ paid the \$5000 in cash, only the removal of the sod where the garage pad was to be built had been started. All work as outlined in the July 1, 2007 estimate provided by the Poorman's to \_\_\_\_\_ had not been completed.

This activity constitutes a Prepaid Contracting Business requiring either Kevin Poorman or Maryann Poorman or Mudd Dawgz Concrete Inc. to be licensed as a prepaid contractor 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 and Maintenance Contract means a contract for the purpose of constructing, altering, maintaining, repairing, adding to or improving a building that is used as the persons own private dwelling or a structure that is to be used in connection with a persons own private dwelling and is located on the same property or altering, maintaining or improving real property to be used with the persons own private dwelling/structure/building.

**ORDER:**

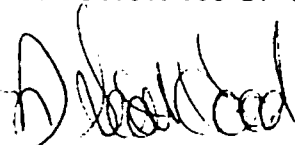
Kevin Poorman and any employee, representative, agent or associate must immediately stop engaging in the activities of a "Prepaid Contracting Business" by soliciting, negotiating or concluding in person, at any place other than the seller's place of business, a prepaid contract.

Maryann Poorman and 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.

Mudd Dawgz Concrete Inc. and 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)  
May 16, 2008