

**JOSEPH (JOE) LEITNER**  
**OPERATING AS**  
**QUALITY RENOVATIONS AND HANDYMAN SERVICE.**

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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Consumer Programs

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

**TO**

**JOSEPH (JOE) LEITNER**

**OPERATING AS**

**QUALITY RENOVATIONS AND HANDYMAN SERVICE**

**ISSUE:**

On or about June 14, 2010 Mr. Leitner operating as Quality Renovations and Handyman Service attended a consumer's residence and negotiated and concluded a contract to complete renovations to a structure, i.e. a fence, to be used in connection with a personal residence. The total price quoted was \$3200 and a deposit of \$750 was requested and paid before the work began. Mr. Leitner provided the consumer with a written contract that did not comply with *Fair Trading Act* Section 35 (b), (d), (e), (f), (g), (i), (j), (k) and (n).

The activity constitutes a "prepaid contracting business" requiring a person or business to be licensed as required 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. Under Section 10 of the *Prepaid Contracting Business Licensing Regulation*, when a prepaid contract is for a value of more than \$200, the prepaid contracting business must ensure the prepaid contract complies with the requirements of section 35 of the *Fair Trading Act* and sets out the quality or types of materials to be used under the contract and the services and work to be carried out under the contract. A person who is engaged in the prepaid contracting business and who enters into a prepaid contract with a buyer must provide a copy of the signed contract to the buyer on or before the date work commences or within 10 days of signing, whichever comes first.

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The logo for the Government of Alberta, featuring the word "Alberta" in a stylized, cursive script font, followed by a small square symbol.

Mr. Leitner has entered into a prepaid contract without holding this license. Mr. Leitner was informed of the prepaid contracting license requirements. However, as of January 28, 2011, Mr. Leitner has not obtained the required license.

**ORDER:**

Joseph (Joe) Leitner must immediately:

1. Cease entering prepaid contracts until he has obtained a provincial license as a prepaid contracting business, and
2. Stop taking down payments, deposits or progress payments before the work is fully completed with residential consumers until the 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)  
January 28, 2011