Government of Alberta ■

Service Alberta

Consumer Services Branch Consumer Programs 3rd floor, Commerce Place 10155 - 102 Street Edmonton Alberta T5J 4L4

LINDA DARLENE RIGO RIGO DESIGN ASSOCIATES

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





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

TO

LINDA DARLENE RIGO o/a RIGO DESIGN ASSOCIATES

AND TO

ANY EMPLOYEE, REPRESENTATIVE, AGENT, OR ASSOCIATE OF LINDA DARLENE RIGO.

<u>Issues</u>

Linda Rigo operating as Rigo Design Associates solicited, negotiated or concluded in person a residential renovation contract on or about July 18, 2006 with a consumer at their residence. Ms. Rigo was a co-contractor on this project with Csaba Diglics of Homes Canada Construction Corporation. Ms. Rigo's primary role on this project was to provide design and project management services. This contract was for extensive renovations to the consumer's home totaling \$350,425. Ms. Rigo accepted either personally, or through Rigo Design Associates a total of \$47,904 in deposits/progress payments during this contract and before all of the goods or services called for in the contract were provided.

This activity constitutes a "Prepaid Contracting Business" requiring Linda Rigo operating as Rigo Design Associates to be licensed as required under section 104(1) of the *Fair Trading Act*.

At the time of entering into the prepaid contract with the consumer, Linda Rigo operating as Rigo Design Associates was not licensed as a Prepaid Contracting Business as required under section 104(1) of the *Fair Trading Act*.

The direct sales contract used by Linda Rigo operating as Rigo Design Associates does not meet the disclosure requirements of Section 35 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 the goods or services called for in the contract are provided; A "Construction or Maintenance Contract" in part means a contract for the purpose of, constructing, altering, maintaining, repairing, adding to or improving a person's own private dwelling or a structure/building located on the same property, used in connection with a person's own private dwelling or improving real property to be used in connection with the person's own private dwelling/building/structure.

Order:

- Linda Darlene Rigo operating as Rigo Design Associates, individually or through any employee, representative, agent or associate, must immediately stop collecting deposits or progress payments from any person seeking home renovations in Alberta.
- Linda Darlene Rigo operating as Rigo Design Associates, individually or through any
 employee, representative, agent or associate, must immediately cease engaging in the
 activities of a prepaid contracting business until properly licensed as a Prepaid
 Contracting Business in Alberta.

NON COMPLIANCE WITH ORDER:

ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER ISSUED BY 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)

July 30, 2009