
DIRECTOR'S ORDER UNDER SECTION 157

OF THE *FAIR TRADING ACT*

TO

MICHAEL ROSCOVICH

AND

ROSCO AND SON PAINT COMPANY

AND TO

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF MICHAEL ROSCOVICH

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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[Tipsheets](#)

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ISSUE

On or about May 1, 2013 Michael Roscovich, operating as Rosco and Son Paint Company, engaged in a contract with an Alberta consumer for the repainting of his residence for a contract amount of \$4200.00 inclusive of GST. The nature of this contract in which all or part of the contract price was paid before all the goods or services called for in the contract were provided constitutes a "prepaid contract" as defined by the *Designation of Trades and Business Regulation*.

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 the goods or services called for in the contract are provided.

The contracts referenced above were solicited, negotiated or concluded in a fashion that satisfies the definition of a prepaid contracting business, requiring an individual and/or business to be licensed under Section 104(1) of the *Fair Trading Act*.

ORDER

- Michael Roscovich and/or Rosco and Son Paint Company either in his own capacity or when acting on behalf of a corporation in which he has an interest by which he is employed or otherwise engaged, must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before work is fully completed) with residential consumers until the licensing requirements have been met.
- Any employee, representative, agent or associate of Michael Roscovich and/or Rosco and Son Paint Company immediately cease entering into prepaid contracts (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)
March 26, 2015