

LAWRENCE RAVANELLO
THF CONSTRUCTION

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.

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

TO

LAWRENCE RAVANELLO operating as THF CONSTRUCTION

AND TO

ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE OF

LAWRENCE RAVANELLO operating as THF CONSTRUCTION

Issues

Lawrence Ravello, operating as THF Construction, solicited, negotiated and concluded a contract in person with a consumer on July 8, 2008. The contract covered the excavation and placing of a concrete pad at the consumer's personal residence located in Irvine, Alberta. The contract price was \$25,000 and called for a deposit payment of \$8,700 along with progress payments.

The consumer gave Mr. Ravello a deposit cheque of \$8,700 on July 8, 2008 and made progress payments by cheque as follows: \$4,800.00 on July 30, 2008; \$6,200.00 on August 7, 2008; \$5,000.00 on August 21, 2008; \$5,000 again on August 21, 2008. A final cash payment of \$1,500 was made on Sept. 12, 2008.

On October 8, 2008, the consumer also paid a \$7,000 cement bill on behalf of Mr. Ravello as he said he had a credit line with the cement company but the cement truck driver required payment on delivery. Mr. Ravello agreed to repay these funds but has failed to do so. Mr. Ravello has also failed to complete all the work required in the contract to satisfactory standards.

This activity constitutes a Prepaid Contracting Business requiring Lawrence Ravello 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 contract in which all of 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 means a contract for the purpose of constructing, altering, maintaining, repairing, adding to or improving a building that is used as the person's own private dwelling or a structure that is to be used in connection with a person's own private dwelling and is located on the same property or altering, maintaining or improving real property to be used with the person's own private dwelling/structure/building.

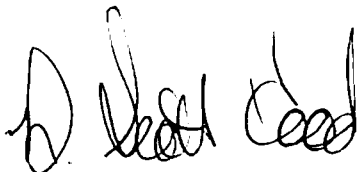
On February 19, 2009, Mr. Ravello stated he would be applying for his Prepaid Contracting Business Licence in the near future. To date, Mr. Ravello has not applied for his Prepaid Contracting Business Licence. The potential remains that Mr. Ravello may at some future time enter into a prepaid contract without a licence in violation of the *Fair Trading Act*.

Order

- Lawrence Ravello, operating as THF Construction, and any employee, representative, agent or associate thereof, 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 until the licence 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)
September 24, 2009