

**JOHN SWEENEY OPERATING AS TRADEMARK LANDSCAPING
AND
WOODLAND GROUP
AND
ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF JOHN SWEENEY**

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:

[Search for a Licensed Business, Charity or Fundraiser](#)

To view a tipsheet on this business licence category, please click here:

[Tipsheets](#)

Consumer Programs

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

TO

JOHN SWEENEY OPERATING AS TRADEMARK LANDSCAPING

AND

WOODLAND GROUP

AND

AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF JOHN SWEENEY

ISSUE

On or about April 24, 2009, John Sweeney, operating as Trademark Landscaping and as Woodland Group, negotiated and concluded a contract in person with a consumer for landscaping at a personal residence. The total price of this contract was \$7,633.97, of which \$3,500 was paid before work began.

This activity constitutes a "prepaid contracting business" requiring a person or business to be licensed 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.

John Sweeney has entered into a prepaid contract without holding this licence. As of June 2010, Mr. Sweeney was informed of the prepaid contracting licence requirement, but has not obtained the required licence. Although Mr. Sweeney stated he will now be pursuing contracts solely with commercial customers there is the potential that they may in the future enter into prepaid contracts with residential consumers without a licence, in violation of the *Fair Trading Act*.

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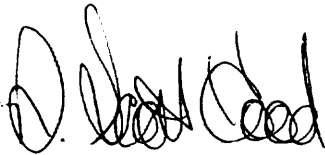
The logo for the Government of Alberta, featuring the word "Alberta" in a stylized, cursive script font, followed by a small square icon containing a stylized 'A'.

ORDER

- John Sweeney, either in his own capacity or when acting on behalf of a corporation in which he has an interest or by which he is employed, must 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.
- Any employee, representative, agent or associate of John Sweeney must 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)
October 7, 2010