
**DIRECTOR'S ORDER UNDER SECTION 157
OF THE *FAIR TRADING ACT*
TO
VIJENDRA PRASAD
OPERATING AS DONALD'S RENOVATIONS AND MAINTENANCE
AND DONALD'S RENOVATIONS
AND TO
ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
VIJENDRA PRASAD**

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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ISSUE

On August 27, 2013 Vijendra Prasad operating under the Trade Name of Donald's Renovations and Maintenance and Donald's Renovations, entered into a verbal contract with Edmonton-area consumers to construct 4 fences and 3 gates for 4 separate consumers. Each consumer was to provide a 50% deposit up front. A total of \$4050 was paid to Vijendra Prasad via cash and cheques. The work was to be completed by the end of September, 2013 but to date has not been completed.

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.

On November 7, 2013 the consumers sent a cancellation letter to Mr. Prasad cancelling their verbal contracts as their fencing project had not been completed as promised. To date Mr. Prasad has not refunded any monies, has not returned to complete the work and has made no attempts to contact any of the consumers.

Although this is the first complaint against Vijendra Prasad to Service Alberta, he continues to advertise and operate as a contractor. As such, there is the potential he will continue to enter into prepaid contracts with residential consumers in the future without a licence which constitutes a violation of the *Fair Trading Act*.

ORDER

- Vijendra Pradsad, 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 licensing requirements have been met.
- Any employee, representative, agent or associate of Vijendra Pradsad must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed) with residential consumers until 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)
December 4, 2014