
DIRECTOR'S ORDER UNDER SECTION 157

OF THE *FAIR TRADING ACT*

TO

WESTERN RV COUNTRY LTD.

AND TO

AL RYZ, DIRECTOR

AND TO

BRUCE URBAN, DIRECTOR

AND TO

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF

WESTERN RV COUNTRY LTD.

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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COUNTRY LTD.**

Background and Issues

On or about August 14, 2012 Western RV Country Ltd entered into a sales agreement with a consumer for the purchase of an American Ironhorse Texas Chopper with "subject to test ride" written on the agreement. The consumer provided a deposit of \$500 to hold the motorcycle until he could take it for a test ride.

After two visits to the retail location of Western RV Country Ltd the motorcycle in question was not ready for the consumer to take for a test ride. The consumer requested his deposit back and was told it would be mailed to him.

A test ride was not provided to the consumer as per the "subject to condition" noted on the sales agreement, nor was a refund provided of the \$500 deposit.

Legislation

Fair Trading Act

Section 6(4) – The following are unfair practices if they are directed at one or more potential consumers:

- (a) a supplier's doing or saying anything that might reasonably deceive or mislead a consumer,

- (k) a supplier's representation that the supplier can supply goods or services if the supplier cannot.

Order

- Western RV Country Ltd. and Al Ryz and Bruce Urban individually or through any employee, representative, agent, or associate must immediately stop engaging in the Unfair Practice of doing or saying anything that might reasonably deceive or mislead a consumer.

- Western RV Country Ltd. and Al Ryz and Bruce Urban individually or through any employee, representative, agent, or associate must immediately stop engaging in the Unfair Practice of representing to a consumer that goods or services could be supplied when they could not.

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*.



George Yates
Director of Fair Trading
July 15, 2014