

**WILLS R US ALBERTA LTD.
AND TO
ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
WILLS R US ALBERTA LTD. INCLUDING
MICHAEL NATHAN STEINBERG AKA JAMES MICHAEL BOMEK**

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:

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

TO

WILLS R US ALBERTA LTD.

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF WILLS R US LTD.
INCLUDING MICHAEL NATHAN STEINBERG AKA JAMES MICHAEL BOMEK**

Issues

The Edmonton Senior newspaper reports since 2010 they ran advertisements from Michael Steinberg aka James Michael Bomek. Service Alberta viewed published advertisements that ran in the February 2012 through to October 2012 editions of the Edmonton Senior newspaper offering "Wills done at your kitchen table. 17 years legal experience. \$100.00. Call Michael 780-265-3508."

a consumer in Alberta, contacted Michael Steinberg in late January 2012 asking Mr. Steinberg to prepare a Will. Mr. Steinberg attended residence on or about January 25, 2012 receiving instructions from the consumer. During the meeting and Mr. Steinberg talked about naming an alternate Executor. said he had no one he could name as an alternate so Mr. Steinberg suggested his realtor friend of 25 years, who had been named by other clients. Mr. Steinberg told the charge for Mr. services would be about \$500.00.

During that meeting they talked about the property being previously listed for sale but nothing more was discussed.

After leaving the meeting Mr. Steinberg called advising him there would be an additional charge of \$60.00 to register the Will and \$40.00 to bring a person to witness signature.

On or about January 29, 2012 Mr. Steinberg returned with a witness and typed documents including a Will, an Enduring Power of Attorney and a Personal Directive. All documents include statements saying Mr. appointed his real estate agent, . There was no mention of Mr. \$500.00 fee for services. Concerned that Mr. fees were not specified, told Mr. Steinberg he wanted Mr. name removed from the documents. Mr. Steinberg agreed and the men agreed to meet at the Westmount Mall in Edmonton so could sign revised documents.

advised he did not ask Mr. Steinberg to prepare a Power of Attorney and a Personal Directive. On January 29, 2012 [redacted] paid Mr. Steinberg \$200.00 for his services.

[redacted] and Mr. Steinberg met at Westmount Mall on or about February 2, 2012. [redacted] signed the revised documents. Upset about the events leading up to their last meeting, [redacted] asked Mr. Steinberg for a refund of his money. Mr. Steinberg refused; however, at a later date Mr. Steinberg did send [redacted] a refund.

Mr. [redacted] has stated Mr. Steinberg contacted him and arranged for Mr. [redacted] to meet [redacted] at the Westmount Mall. Mr. [redacted] understood this meeting was to list the property for sale. Before arriving, Mr. [redacted] received a phone call from Mr. Steinberg telling him not to waste his time. That meeting never took place.

[redacted] advised he was not aware Mr. [redacted] had been invited to meet with him at the Westmount Mall and that he never asked Mr. Steinberg to arrange a meeting with Mr. [redacted] about listing his property for sale.

About February 9, 2012 [redacted] had a lawyer review the documents prepared by Mr. Steinberg and decided to revoke them.

The Edmonton Senior newspaper reported that on October 18, 2012 they received a \$500.00 cheque from Mr. Steinberg to renew his advertising subscription. Mr. Steinberg never requested any wording changes to the advertisement they have previously published.

Legislation

A Direct Selling Business means that activities of soliciting, negotiating or concluding in person, at any place other than the seller's place of business, sales contracts, including direct sales contracts to which Part 3 of the *Fair Trading Act* applies, for the provision of goods or services, where the buyer is a consumer.

This activity constitutes a "direct selling business" requiring a person or business to be licensed as required under Section 104(1) of the *Fair Trading Act*.

It is an unfair practice under the *Fair Trading Act*, Section 6(4)(a) when a supplier does or says anything that might reasonably deceive or mislead a consumer.

Michael Steinberg entered into a direct selling contract without holding a license. Michael Steinberg was informed of the direct selling business license requirements in May and June 2012. He made no known attempt to change the wording of his advertisements. He submitted a licensing application on July 16, 2012.

Based on the sole Director/Shareholder, Michael Steinberg's previous criminal convictions and the nature of those convictions, the Director proposed to refuse issuing a direct selling business license. In the Director's opinion, it was not in the public interest to issue such a license. Michael Steinberg was provided with an opportunity to make representations to the Director until October 25, 2012. As of November 28, 2012, no representations were made on the proposal and the Director had to base his decision without Mr. Steinberg's input. The application for a direct selling business licence was refused on November 28, 2012.

Order

Wills R Us Alberta Ltd. and its employees, agents and/or representatives including Michael Steinberg aka James Michael Bomek, must immediately:

- Cease entering into direct sales contracts.
- Stop soliciting, negotiating or concluding direct sales contracts, in person, away from its place of business.
- Cease doing or saying anything that might reasonably deceive or mislead a consumer.

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)
November 30, 2012