

**ABOVE BELOW & BEYOND SOLUTIONS LTD.
AND TO
NICHOLAS MICHAUD
AND TO
ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OR ASSOCIATE OF
ABOVE BELOW & BEYOND SOLUTIONS LTD. AND/OR NICHOLAS MICHAUD**

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.

Nicholas Michaud, above below & beyond Solutions Ltd. have taken steps to ensure compliance with the Fair Trading Act and the Regulations and address the contraventions that lead to the Director's Order. A licence was issued to them on October 20, 2011 as a Prepaid Contracting Business.

For more information on the Fair Trading Act, business licensing in Alberta or to search for the current licence status of this 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](#)



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

TO

ABOVE BELOW & BEYOND SOLUTIONS LTD.

AND TO

NICHOLAS MICHAUD

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
ABOVE BELOW & BEYOND SOLUTIONS LTD. AND/OR NICHOLAS MICHAUD**

Background and Issues

Above Below & Beyond Solutions Ltd. has confirmed with Service Alberta, Consumer Services, Investigative Services South that they are operating as a prepaid contractor.

The company was brought to the attention of Service Alberta Licensing when they were notified by the Insurance Company that the surety bond was expiring. Above Below & Beyond Solutions Ltd., however, did not carry a specific license. Although this company has had several conversations with Licensing and with Investigative Services, they have not taken steps to obtain a prepaid contractors' license.

The activity of soliciting, negotiating or concluding a contract in a location other than their normal place of business and accepting a deposit or prepayment prior to completion of the project constitutes a "**Prepaid Contracting Business**". This requires Above Below & Beyond Solutions Ltd. to be licensed as required 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 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.

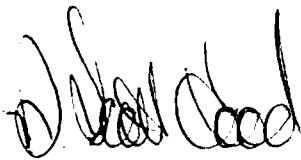
A "Construction or Maintenance Contract" in part means a contract for the purposes of constructing, altering, maintaining, repairing, adding to or improving a person's own private dwelling or a structure/building located on the same property, used in conjunction with the person's own private dwelling or improving real estate property to be used in connection with the person's own private dwelling/building/structure.

Order

- Nicholas Michaud individually or through any employee, representative, agent, or associate 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 appropriately licensed.
- Above Below & Beyond Solutions Ltd. through any employee, representative, agent, or associate 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 appropriately licensed.

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)
April 20, 2011