

CASTLEWOOD RENOVATIONS LTD.
FRANK HASSAN

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

TO

CASTLEWOOD RENOVATIONS LTD.

AND TO

FRANK HASSAN

AND TO

**ANY EMPLOYEE REPRESENTATIVE, AGENT OR ASSOCIATE OF
CASTLEWOOD RENOVATIONS LTD. AND FRANK HASSAN**

Issues

On or about April 4, 2007, Frank Hassan operating as Castlewood Renovations Ltd. solicited, negotiated or concluded in person a residential renovation contract with a consumer at their residence. This contract was for the supply and install of new kitchen cabinets in the consumer's home totalling \$13,000. Frank Hassan either personally, or through Castlewood Renovations Ltd. accepted a deposit/progress payment during this contract before all the goods or services called for in the contract were provided.

The activity constitutes a "Prepaid Contracting Business" requiring Frank Hassan or Castlewood Renovations Ltd. to be licensed as a Prepaid Contracting Business as required under section 104(1) of the *Fair Trading Act*.

At the time of entering into the prepaid contract with the consumer, Frank Hassan o/a Castlewood Renovations Ltd. was not licensed as required under section 104(1) of the *Fair Trading Act*.

The direct sales contract used by Frank Hassan o/a Castlewood Renovations Ltd. does not meet the disclosure requirements of section 35 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 the goods or services called for in the contract are provided.

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


Order

Frank Hassan and/or Castlewood Renovations Ltd. individually or through any employee, representative, agent, or associate, must immediately;

- Cease entering into "Prepaid Contracts" (Taking down payments, deposits or progress payments before the work is fully completed) 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 27, 2009