

**JIM DESCHAMPS**

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**

**JIM DESCHAMPS**

**AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OR ASSOCIATE OF  
JIM DESCHAMPS**

**ISSUE**

On or about May 28, 2009, Jim Deschamps negotiated and concluded in person a contract with a consumer for painting on a personal residence. This contract totalled \$2,940, of which 50 percent was due at the beginning of the work. No money was paid on this contract and the consumer cancelled within ten days of signing.

This activity constitutes a "prepaid contracting business" requiring a person or business 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 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.

Jim Deschamps has entered into a prepaid contract without holding this licence. As of June 2009, Mr. Deschamps was informed of the prepaid contracting licence requirement, but has not obtained the required licence.

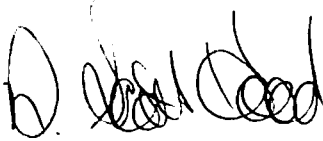
While Mr. Deschamps has informed this office he is no longer contracting with consumers and is now operating solely as a subcontractor, the potential remains that he may at some future time enter into prepaid contracts with residential consumers without a licence, in violation of the *Fair Trading Act*.

**ORDER**

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

A handwritten signature in black ink, appearing to read "Scott Hood". The signature is stylized and somewhat cursive.

Scott Hood  
Director of Fair Trading (as delegated)  
October 28, 2009