

**NEIL ROY O/A
PARKLAND RENOVATONS**

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.

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

TO

NEIL ROY o/a PARKLAND RENOVATIONS

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, AGENT,
OR ASSOCIATE OF NEIL ROY**

Issues:

Neil Roy operating as Parkland Renovations solicited, negotiated or concluded in person a prepaid renovation contract with a consumer to remove an existing garage and cement pad and replace same and to renovate the house for their new residence on July 11, 2008. The contract was entered into at the consumer's current residence. The work was to be completed by September 1, 2008. The contract was subsequently amended to enlarge the new garage. The total contract price was \$54,810.

Mr. Roy requested and received a deposit of \$25,000 at the time the contract was entered into. Mr. Roy received the balance of the contract price in further prepayments made in July and August, 2008 before the contract was fully completed. The work was not fully completed as agreed to and the consumers subsequently cancelled the contract in September 2008.

This activity constitutes a "Prepaid Contracting Business" requiring Neil Roy 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 contracts with the consumer Neil Roy was not licensed as a Prepaid Contracting Business as required under section 104(1) of the *Fair Trading Act*.

A "Prepaid Contracting Business" means the activity 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 purpose 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 connection with a person's own private dwelling or improving real property to be used in connection with the person's own private dwelling/building/structure.

Order:

- Neil Roy operating as Parkland Renovations 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.

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)
May 29, 2009