

RORY COUTURIER

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

RORY COUTURIER

AND TO

AND TO ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE

Issue

Rory Couturier negotiated and concluded in person a residential renovation contract on or about September 25, 2007 with _____ for construction of a fence along three sides of her property for a total of \$4,200. _____ paid a deposit of \$2,100 at the time of entering into the contract and before all the goods or services called for in the contract were provided. Rory Couturier returned on September 26, 2007 and dropped off a small amount of materials. No further work was done. Rory Couturier failed to respond to attempts to contact him by the consumer regarding completion of the fence.

This activity constitutes a "prepaid contracting business" requiring Rory Couturier to be licensed as required under Section 104(1) of the *Fair Trading Act*.

At the time of entering into the prepaid contract with Amanda Rodier, Rory Couturier was not licensed as a prepaid contracting business as required under Section 104(1) of the *Fair Trading Act*.

A prepaid contracting business includes the activities of soliciting, negotiating or concluding in person at any place other than the normal 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.


Correspondence dated October 11, 2007 was sent to Rory Couturier by registered mail to his last known address and again November 22, 2007 care of his parents on the requirements for licensing as a prepaid contracting business. A response was not received or acknowledged as to his intentions on becoming licensed as requested.

Order

- Rory Couturier cease entering into prepaid contracting (taking deposits, payments for materials or progress payments) until the licensing requirements have been met.
- Individuals who are employed by, representing, acting as an agent for or otherwise associated with Rory Couturier must cease entering into prepaid contracts until 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', written in a cursive style.

Scott Hood
Director of Fair Trading (as delegated)
February 20, 2009