

Government of the Province of Alberta
Department of Service Alberta

Notice of Administrative Penalty

File: 38810

To: John Haines
Undisclosed

After reviewing the evidence available, I have concluded that John Haines contravened s. 6 (3)(d) of the *Consumer Protection Act* in respect of which an administrative penalty may be imposed. Particulars of the contravention are as follows:

Date(s) of Contraventions:

December 2018.

Location(s) of Contravention:

Vancouver, British Columbia

Details:

In representations to a consumer, you provided information that mislead them as to the right and remedies that the consumer would have access to if they entered into a contract. Based on these representations, the consumer entered into a contract where the contract clause you had provided misleading information with respect to was not honoured.

I have assessed an administrative penalty of \$5,000 for the above contravention of s. 6 (3)(d) of the *Consumer Protection Act*.

This notice of administrative penalty to John Haines has been served pursuant to section 158.1(1) of the *Consumer Protection Act* and the Administrative Penalties (*Consumer Protection Act*) Regulation, AR135/2013, for the reasons set out in the attached Decision Letter.

You are required to submit payment for the administrative penalty within thirty days of the date of service of this Notice.

If payment has not been received in this time period, the Notice may be filed in the Court of Queen's Bench and enforced as a judgement of that Court pursuant to section 158.4 of the *Consumer Protection Act*.

Dated this 12th day of June, 2020.


Darren Thomas
Director of Fair Trading (as delegated)

Payment of an Administrative Penalty

A person who pays an administrative penalty in respect of a contravention or a failure to comply shall not be charged under the *Consumer Protection Act* with an offence in respect of the same contravention or failure to comply that is described in the Notice.

Right of Appeal

Section 179 of the *Consumer Protection Act* provides a right to appeal this decision. The appeal may be sent to:

Minister of Service Alberta
c/o the Director of Fair Trading
3rd Floor, Commerce Place, 10155-102 Street
Edmonton Alberta T5J4L4.

The appeal must be received within 30 days of the date you received the Notice of Administrative Penalty. The time period is strictly enforced. Your appeal must include the following information:

- 1) the decision being appealed;
- 2) the rationale for the appeal;
- 3) the name of the appellant; and
- 4) the address for service of the appellant.

Pursuant to the section 4 of the Administrative Penalties (Consumer Protection Act) Regulation, AR135/2013, the appeal fee is \$1,000.

Payment Information

You may pay this administrative penalty by cheque or money order payable to the Government of Alberta. A copy of this notice should be included with your cheque or money order.

Payment should be mailed to:

3rd Floor, Commerce Place, 10155 102 Street, Edmonton AB T5J 4L4