
DIRECTOR'S ORDER UNDER SECTION 157

OF THE *FAIR TRADING ACT*

TO

SYLVIA OGRODZINSKI,

AND

EARTH EDGE CONSULTING LTD.,

AND TO

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF THE ABOVE

This Director's Order was issued under s. 157(1) of the *Fair Trading Act* in response to, in the opinion of the Director, contraventions of the Act. As mandated by s. 157.1(1) of the *Fair Trading Act*, this Director's Order is part of the public record.

Albertans who have questions or concerns about this business are encouraged to contact the Service Alberta Consumer Contact Centre at 1-877-427-4088.

For more information on the *Fair Trading Act*, business licensing in Alberta or to search for a licensed business, please click here:

[Search for a Licensed Business, Charity or Fundraiser](#)

To view a tipsheet on this business licence category, please click here:

[Tipsheets](#)

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OF
THE ABOVE

ALLEGATION

Service Alberta has investigated allegations related to breaches of the requirements of the *Fair Trading Act* and Collection and Debt Repayment Practices Regulation and found evidence that:

1. SYLVIA OGRODZINSKI and EARTH EDGE CONSULTING LTD. have engaged in collection activities in Alberta without the required Collection Agency Licence.
2. SYLVIA OGRODZINSKI and EARTH EDGE CONSULTING LTD. have engaged in breaches of the Collection and Debt Repayment Practices Regulation, including the following prohibited practices:
 - s. 12 (1)(a) collecting or attempting to collect money for a creditor except on the belief in good faith that the money is due and owing by the person to the creditor;
 - s. 12 (1)(h) directly or indirectly threaten or state an intention to proceed with an action for which the collection agency or the collector does not have the prior express consent of the creditor or for which there is no lawful authority;
 - s. 12 (1)(i) contact or attempt to contact the debtor, any member of the debtor's household, any relative of the debtor, the debtor's employer, or any neighbour, friend or acquaintance of the debtor by any means in such a manner as to constitute harassment;
 - s. 12 (1)(j) give any person, directly or indirectly, by implication or otherwise, any false or misleading information, including but not limited to, references to the police, a law firm, prison, credit history, court proceedings, or a lien or garnishment;

Based on the available evidence, the Director has reached the opinion that SYLVIA OGRODZINSKI and EARTH EDGE CONSULTING LTD. have breached the *Fair Trading Act* and Collection and Debt Repayment Practices Regulation.

KEY LEGISLATION

The *Fair Trading Act* RSA 2000 Chapter F-2 states:

- s. 111 No person may carry on the activities of a collection agency unless the person is the holder of a collection agency licence issued under this Act.

The Collection and Debt Repayment Practices Regulation 194/1999 states:

- s. 3 ((2) No person may carry on the activities of a collection agency described in section 1 (b)(i) unless the person holds a collection agency licence.
- s. 12 (1) No collection agency or collector may:
- (a) collecting or attempting to collect money for a creditor except on the belief in good faith that the money is due and owing by the person to the creditor;
 - (h) directly or indirectly threaten or state an intention to proceed with an action for which the collection agency or the collector does not have the prior express consent of the creditor or for which there is no lawful authority;
 - (i) contact or attempt to contact the debtor, any member of the debtor's household, any relative of the debtor, the debtor's employer, or any neighbour, friend or acquaintance of the debtor by any means in such a manner as to constitute harassment;
 - (j) give any person, directly or indirectly, by implication or otherwise, any false or misleading information, including but not limited to, references to the police, a law firm, prison, credit history, court proceedings, or a lien or garnishment;

ORDER

- **SYLVIA OGRODZINSKI and EARTH EDGE CONSULTING LTD., individually or through any employee, representative or agent, must immediately cease engaging in collection activities in Alberta.**
- **SYLVIA OGRODZINSKI and EARTH EDGE CONSULTING LTD., individually or through any employee, representative or agent, must immediately cease engaging in practices prohibited by the Collection and Debt Repayment Practices Regulation.**

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.



Darren Thomas
Director of Fair Trading (as delegated)

December 22, 2015