
**DIRECTOR'S ORDER UNDER SECTION 157
OF THE *CONSUMER PROTECTION ACT* (formerly the *Fair Trading Act*)**

TO

Regan Blair Reaney

AND

Snow Hawk Snow Removal

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE OF REGAN BLAIR
REANEY AND/OR SNOW HAWK SNOW REMOVAL**

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](#)

**DIRECTOR'S ORDER UNDER SECTION 157 OF THE CONSUMER
PROTECTION ACT**

TO

Regan Blair Reaney

AND

Snow Hawk Snow Removal

**AND ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE OF
REGAN BLAIR REANEY AND/OR SNOW HAWK SNOW REMOVAL**

Issues:

The Consumer Investigations Unit of Service Alberta, upon receiving a complaint conducted an investigation into the activities of Regan Blair Reaney operating as Snow Hawk Snow Removal. The consumer reported that Regan Blair Reaney operating as Snow Hawk Snow Removal attended their home while unlicensed as a Direct Selling Business contrary to section 104(1) of the *Consumer Protection Act*.

Mr. Reaney met with the consumer at their home and negotiated a contract to clear snow at their personal and neighbouring residence. On or about November 1, 2018 the consumer paid a deposit by cheque for \$1400.00. Representations were made that snow would be removed after it had accumulated more than 2 cm deep, within 24 hours. Regan Blair Reaney operating as Snow Hawk Snow Removal only attended the residence on two occasions in November of 2018 throughout the six month contract despite their being more than two occurrences of snow fall beyond two centimeters.

This activity constitutes a "direct sale" requiring a person or business to be licensed under Section 104(1) of the *Consumer Protection Act*. According to Section 3 of the *Designation of Trades and Business Regulation*, a direct selling business means the activities of soliciting, negotiating or concluding in person, at any place other than the seller's place of business, sales contracts, including direct sales contracts to which Part 3 of the Consumer Protection Act applies, for the provision of goods or services, where the buyer is a consumer.

Regan Blair Reaney operating as Snow Hawk Snow Removal provided a written sales contract that did not comply with s. 35 of the *Consumer Protection Act*.

Regan Blair Reaney operating as Snow Hawk Snow Removal failed to provide goods or services within a stated period if the supplier knew or ought to know they will not.

ORDER

Regan Blair Reaney and Snow Hawk Snow Removal must immediately:

- Refrain from engaging in the activities of a “Direct Selling Business” by soliciting, negotiating or concluding in person, at any place other than the seller’s place of business, a direct sales contract until licensing has been obtained.
- ensure that all direct sales contracts are in writing and include the terms required by the *Consumer Protection Act* and provide a copy of the signed contract to the consumer.
- cease from engaging in unfair practices including, but not limited to, failing to provide goods or services within a stated period if the supplier knew or ought to know they will not.

NON COMPLIANCE WITH ORDER

ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER OF THE DIRECTOR UNDER SECTION 157 OF THE *CONSUMER PROTECTION ACT* CONTRAVENES THIS ACT AND IS GUILTY OF AN OFFENCE AND MAY BE PROSECUTED PURSUANT TO SECTION 163 OF THE *CONSUMER PROTECTION ACT*.



Laura Aydın

Director of Fair Trading (as delegated)

June 22, 2020