



Alberta Motor Vehicle Industry Council
ALBERTA'S AUTOMOTIVE REGULATOR

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04/05/2018

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

**TO
J & J Classic Autobody
And
John Preston**

**OPERATING AS
J & J Classic Autobody**

AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF

J & J Classic Autobody

ISSUE

The Alberta Motor Vehicle Industry Council (AMVIC) has identified the following issue during the course of an investigation (file #18-03-203):

- 1) Evidence is provided that John Preston with J & J Classic Autobody is operating a vehicle auto body shop without having a business licence and has yet to complete his AMVIC business licence application which contravenes section 104(1) of the Consumer Protection Act (CPA), The contravention is as follows:

Licence required - designated businesses

104(1) No person may engage in a designated business unless the person holds a licence under this Act that authorizes the person to engage in that business.

SYNOPSIS

On March 09, 2018 AMVIC Industry Standards department sent J & J Classic Autobody a warning letter advising to cease all automotive business activities until an AMVIC licence has been issued, case file 18-03-110.

On March 14, 2018 J & J Classic Autobody started the AMVIC online application but did not complete it.

On March 14, 2018 AMVIC received a complaint from a consumer where it is alleged that money is owed and parts are missing.

March 25, 2018 J & J Classic Autobody is posting photos on Facebook of work in progress despite not having an AMVIC licence.

On April 3, 2018 Industry Standards called John Preston as a follow up and advised again to submit payment so AMVIC can start processing the licence application. No progress has been made to the licence application as of this date.

DIRECTOR'S ORDER

That John Preston of J & J Classic Autobody **immediately cease engaging in the Autobody and Automotive repair business** within the Province of Alberta until properly licensed as per section 104(1) of the Consumer Protection Act (CPA).

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.

REFUSAL, SUSPENSION, CANCELLATION, TERMS

SECTION 127(b)(i) CONSUMER PROTECTION ACT:

THE DIRECTOR MAY REFUSE TO ISSUE OR RENEW A LICENCE, MAY CANCEL OR SUSPEND A LICENCE AND MAY IMPOSE TERMS AND CONDITIONS ON A LICENCE FOR THE FOLLOWING REASONS:

- (i) FAILS TO COMPLY WITH AN ORDER OF THE DIRECTOR UNDER SECTION 129 OR 157, UNLESS, IN THE CASE OF AN ORDER UNDER SECTION 129 OR 157, THE ORDER HAS BEEN STAYED.**

"original signed by"

Gerald Gervais, Registrar
Director of Fair Trading (as delegated)
April 5th, 2018