



Alberta Motor Vehicle Industry Council
ALBERTA'S AUTOMOTIVE REGULATOR

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Oct. 24, 2018

18-04-015

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

TO

Reece Richard BARTEL

This Director's Order was issued under Section 157(1) of the *Consumer Protection Act* in response to, in the opinion of the Director, contraventions of the Act. As mandated by Section 157(3) a person or publisher who is subject to an order under this section may appeal under Section 179.

Pursuant to Section 179, to appeal the order, the person must serve the Minister of Service Alberta with a notice of appeal within **thirty (30) days** after receiving the order. Please include your name, your address for service, details of the order being appealed and your reasons for appealing.

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

TO

Reece Richard Bartel

ISSUES

The Alberta Motor Vehicle Industry Council (AMVIC) has identified the following issue during the course of an investigation.

- 1) Evidence is provided that Reece Richard Bartel is operating an automotive sales business without having a business licence, 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.

- 2) Evidence is provided that Reece Richard Bartel is unlawfully using licence plates contrary to Section 53(1)(b) of the *Traffic Safety Act*.

Unlawful use of Licence plate

**53(1) Except as otherwise permitted under this Act, a person shall not do any of the following:
(b) display on a motor vehicle or trailer a licence plate other than a licence plate issued or authorized for use on that vehicle;**

Synopsis:

Between December 2017 and June 2018 Reece Richard BARTEL sold five motor vehicles to consumers misrepresenting them as private sales. Reece Richard BARTEL has never been the registered owner of the five vehicles sold by him.

Reece Richard BARTEL engaged in the attempted sale of five vehicles not registered to him with AMVIC investigators and City of Calgary inspectors posing as potential retail consumers. He misrepresented the ownership, history and mechanical status of each vehicle. He was also using licence plates which he was not authorized to use on the vehicles including his commercial dealer plate which cannot be used for the purpose of selling vehicles.

AMVIC records show Reece Richard BARTEL has never been issued any class of licence to sell motor vehicles to the public by the regulator, AMVIC.

DIRECTOR'S ORDER

The Respondent, Reece Richard BARTEL, must **immediately**:

1. Cease the sale of all motor vehicles while unlicensed to do so under Section 104(1) of the *Consumer Protection Act*.
2. Remove all vehicle advertisements on any form of mass communication.
3. Review AMVIC website at:
www.amvic.org/industry-3/licensing/apply-licence-registrationrenewals/
for licensing requirements.

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.

"original signed by"

Gerald Gervais, Registrar
Director of Fair Trading (as delegated)
October 24th, 2018