



ALBERTA MOTOR VEHICLE  
INDUSTRY COUNCIL

Alberta Motor Vehicle Industry Council  
ALBERTA'S AUTOMOTIVE REGULATOR

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2019-01-08

File #18-11-378/18-12-126

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

TO

**Brian Carrlco**

OF

**1717449 Alberta Ltd. operating as Alberta RV Country**

AND

**ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF THE ABOVE**

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

Brian Carrico

OF

1717449 Alberta Ltd. operating as Alberta RV Country

AND

AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF THE ABOVE

**ISSUE(S)**

As the result of an investigation, it was learned that 1717449 Alberta Ltd. o/a Alberta RV Country entered into consignment agreements to sell two RVs for two separate consignors. Upon the sale of the said RVs 1717449 AB Ltd. o/a Alberta RV Country failed to provide the proceeds of the sales to the consignors within 14 days as required by law. 1717449 AB Ltd. o/a Alberta RV Country voluntarily entered into Undertaking dated Oct. 31, 2017.

Thereby failing to comply with an Undertaking as per Section 163(d) of the *Consumer Protection Act*;

**Terms of Undertaking**

1. The Supplier acknowledges and admits that it failed to comply with the provisions of the FTA, specifically sections of the ABR regarding consignment agreements. The supplier undertakes to the Director that the supplier will make every effort to ensure that it does not engage in acts or practices similar to those described above.

3. The Supplier acknowledges that as per Section 33.1(1) and 33.1(2) of the ABR that within 14 days of the sale of a consigned unit the consumer will be provided with a cheque and statement of accounts regarding the sale.

**DIRECTOR'S ORDER**

That Brian Carrico of 1717449 AB Ltd. o/a Alberta RV Country and any other employee, representative or agent, immediately cease engaging in an automotive business within the Province of Alberta until

notified otherwise by the Alberta Motor Vehicle Industry Council pending the outcome of the investigation.

**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 STATES:

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"

Alberta Motor Vehicle Industry Council  
Gerald Gervais, Registrar  
Director of Fair Trading (as delegated)

January 9, 2019