

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

TO

PAUL RACHMISTRUK

OF

TFS HOLDINGS LTD.

AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF

TFS HOLDINGS LTD.

ISSUE

During the course of an Alberta Motor Vehicle Council ("AMVIC") investigation (18-01-026), it was determined that TFS Holdings Ltd. had sold five recreational vehicles to Schwab's RV World between March 19, 2018 and May 31, 2018. TFS Holdings Ltd. is a transport company and does not have an AMVIC wholesale or retail business licence, therefore is in contravention of Section 104(1) of the *Consumer Protection Act* (CPA).

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.

DIRECTOR'S ORDER

That Paul Rachmistruk and TFS Holdings Ltd., and any other employee, representative or agent, **immediately cease engaging as an automotive business** within the Province of Alberta until properly licensed as per Section 104(1) of the *Consumer Protection Act* (CPA).

Paul Rachmistruk and TFS Holdings Ltd., must immediately:

1. Cease the sale of all recreational and/or motor vehicles while unlicensed to do so under section 104(1) of the 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 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"

AMVIC

Gerald Gervais, Registrar

Director of Fair Trading (as delegated)

November 27, 2018