



Alberta Motor Vehicle Industry Council
ALBERTA'S AUTOMOTIVE REGULATOR

PHONE: 780.466.1140
TOLL FREE: 1.877.979.8100
FAX: 780.462.0633

#303, 9945-50 STREET,
EDMONTON, AB T6A 0L4

amvic.org

2019-02-20

File: 18-10-428

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

TO

Nathan Van Gelderen

OF

Mobile Auto Mechanics

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.

ISSUE

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

Nathan Van Gelderen (*dba* Mobile Auto Mechanics) is conducting automotive repairs without the required AMVIC business licence, which contravenes Section 104(1) of the *Consumer Protection Act*. 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.

DIRECTOR'S ORDER

That Nathan Van Gelderen (*dba* Mobile Auto Mechanics), **immediately cease all activities related to operating an automotive business**, within the Province of Alberta until properly licensed to do so as per Section 104(1) of the *Consumer Protection Act*.

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 (AMVIC)
Malcolm Knox, Registrar
Director of Fair Trading (as delegated)
February 20, 2019