

March 23, 2020

File #: 20-02-032

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

TO

Wayne M. POOLE

Canadian Pursuit Cars

Canadian Pursuit Cars Ltd.

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.

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ISSUES

The Alberta Motor Vehicle Industry Council (AMVIC) has identified the following issues during the course of an investigation (file #20-02-032).

Evidence is provided that Wayne M. POOLE is operating an automotive sales business without having an automotive business licence issued by the regulator AMVIC, in contravention of:

Consumer Protection Act (CPA)

Section 104(1) – unlicensed business

SYNOPSIS

On Feb. 3, 2020 AMVIC received a complaint regarding the unlicensed sale of motor vehicles by Wayne M. POOLE.

The investigation shows motor vehicles are sold by Wayne M. POOLE that are not his registered property as well as sales of motor vehicles registered to him for a short period of time.

AMVIC records show Wayne M. POOLE has never been issued any class of licence to sell motor vehicles to the public, by the regulator, AMVIC.

Court records show Wayne M. POOLE has been previously sanctioned by the City of Calgary for operating an unlicensed motor vehicle business.

DIRECTOR'S ORDER

The Respondent, Wayne M. POOLE, must **immediately**:

1. Cease the sale of all motor vehicles until properly licensed 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: <https://www.amvic.org/business/business-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
Alberta Motor Vehicle Industry Council (AMVIC)
Director of Fair Trading (as delegated)
March 23, 2020