

April 22, 2020

File # 20-04-171

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

TO

Reginald George SIMMONS

OF

Reg's Auto Service & Consulting Ltd. and RGS Auto

AND

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF THE ABOVE

This Director's Order was issued under Section 157(1) of the *Consumer Protection Act* (CPA) in response to, in the opinion of the Director, contraventions of the CPA. 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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ISSUE(S)

The Alberta Motor Vehicle Industry Council (AMVIC) during the course of an investigation has identified that Reginald George SIMMONS is engaged in unlicensed motor vehicle repair activity without an AMVIC licence.

Evidence is provided that shows Reginald George SIMMONS is operating an automotive repair business without having a repair licence issued by the regulator AMVIC, which contravenes Section 104(1) of the *Consumer Protection Act* (CPA).

The contraventions is as follows:

Licence required – designated business

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 Reginald George SIMMONS doing business as Reg's Auto Service & Consulting Ltd. and RGS Auto, and any other employee, representative or agent, must immediately:

1. Cease engaging in the automotive repair business while unlicensed to do so under Section 104(1) of the *Consumer Protection Act* within the Province of Alberta.
2. Remove all vehicle repair related activity in the advertisements on their Facebook, website, Kijiji, Instagram and/or any other forms of mass communication.
3. Review the AMVIC website for obtaining a licence:
<https://www.amvic.org/business/business-licence/apply-licence-registrationrenewals/>

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"

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

April 27th, 2020