

**IN THE MATTER OF AN APPEAL PURSUANT TO  
SECTION 179 (1) OF THE *CONSUMER PROTECTION*  
ACT, RSA 2000, c. F-2**

**AND IN THE MATTER OF THE DECISION BY  
THE DIRECTOR OF FAIR TRADING ON  
APRIL 7, 2020 TO CANCEL THE LICENCE  
AND SALESPERSON REGISTRATION**

Between:

Esaum Omar and Eloquent  
Automotive Group Ltd.                      Appellants  
("Eloquent")

-and-

Alberta Motor Vehicle Industry                      Respondent  
Council  
("AMVIC")

Appeal                      L. Redmond, Panel Chair  
Board:                      B. Meltzer Toren, Panel Member  
                                    J. Selby, Panel Member

Counsel for the Appellants:      J. Killam

Counsel for the Respondent:      P. Hale

**CONSENT DECISION**

WHEREAS Mr. Esaum Omar and Eloquent admit to failing to keep records as required under section 132 of the *Consumer Protection Act*, failing to provide documents on the request of AMVIC in accordance with section 132 of the *Consumer Protection Act*, and selling motor vehicles as a registered salesperson for an AMVIC licensee without being a designated salesperson for that licensee;

AND WHEREAS Mr. Omar and Eloquent have now complied with AMVIC's record request and signed an undertaking to address record keeping deficiencies, respond to AMVIC communications and record requests promptly, and to be subject to an inspection within 12 months as well as additional undertakings;

AND WHEREAS Mr. Omar has now successfully completed the AMVIC Salesperson Registration course;

AND WHEREAS Mr. Omar and Eloquent acknowledge that but for the extraordinary economic circumstances arising from the pandemic and from Mr. Omar's personal circumstances, both a suspension and a monetary penalty would otherwise be imposed;

THE PARTIES AGREE THAT Eloquent's business licence cancellation and Mr. Omar's salesperson registration cancellation should be modified to a 5 month suspension ending on the date of this Consent Decision.

Signed at Calgary, Alberta on September 30, 2020.

“original signed by”

L. Redmond, Chair on behalf of the Panel

Consented to by:

“original signed by”

J. Killam  
Counsel for Eloquent and Esaum Omar

“original signed by”

P. Hale  
Counsel for AMVIC