

June 18, 2021

File # 21-05-199

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

TO

Richard Germain

OF

Rich's Way To Restoration Inc.

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.

DIRECTOR'S ORDER UNDER SECTION 157 OF THE CONSUMER PROTECTION ACT**TO****Richard Germain****OF****Rich's Way To Restoration Inc.****AND****AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF THE ABOVE****ISSUE(S)**

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

Richard Germain (Germain) has a registered business listed in Corporate Registries called Rich's Way To Restoration Inc. Germain is renting shop space at 1814 17 Ave SE Calgary and doing body work and mechanical repairs. Germain may also be selling vehicles from this location as there are numerous vehicles both inside and outside the shop that Germain said are all his. Germain was issued a warning letter on May 18, 2021 and has not submitted an application to AMVIC as of June 18, 2021.

Richard Germain and/or Rich's Way to Restoration Inc. of Calgary Alberta is engaged in unlicensed motor vehicle activity in the Province of Alberta in contravention of the following:

Consumer Protection Act

Section 104(1) – unlicensed business

DIRECTOR'S ORDER

That Richard Germain and/or Rich's Way To Restoration Inc. and any other employee, representative or agent **immediately cease engaging in a designated automotive business** within the province of Alberta until properly licensed as per Section 104(1) of the *Consumer Protection Act* (CPA).

Richard Germain and/or Rich's Way to Restoration Inc. must immediately:

1. Cease all unlicensed, designated automotive business activity while unlicensed to do so under Section 104(1) of the *Consumer Protection Act*.

2. Review AMVIC website at: www.amvic.org/business/business-licence/apply-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*.

REFUSAL, SUSPENSION AND 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
Alberta Motor Vehicle Industry Council (AMVIC)
Director of Fair Trading (as delegated)

 June 21, 2021