

February 22, 2022

Administrative Review File # 22-02-001
Investigation File # 21-11-235

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

TO

ALL BRAND AUTO CLEARANCE LTD.

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****ALL BRAND AUTO CLEARANCE LTD.****AND****AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF THE ABOVE****ISSUE(S)**

The Alberta Motor Vehicle Industry Council ("AMVIC") has identified the following issues during the course of an investigation:

1. Failure to notify the Director of a change in business address as required by Section 134 of the *Consumer Protection Act*.
2. Advertisements that do not comply with Section 11 of the Automotive Business Regulation.
3. The use and completion of a bill of sale that does not meet the legislative requirements as per Section 31.2 of the Automotive Business Regulation.
4. Mechanical Fitness Assessment not completed in full as required by Section 15 of the Vehicle Inspection Regulation.
5. Failure to maintain all business records as required by Section 132(1) of the *Consumer Protection Act* and Section 9 of the Automotive Business Regulation.
6. Failure to comply with an Undertaking contravening Section 163(d) of the *Consumer Protection Act*.

DIRECTOR'S ORDER

That All Brand Auto Clearance Ltd. and any other employee, representative or agent, must immediately:

1. Update their physical address with AMVIC to reflect the correct operating address.
2. Bring all advertisements into compliance with Section 11 of the Automotive Business Regulation.

3. Cease utilizing its current version of a bill of sale and immediately implement the use and completion of a bill of sale that meets the legislative requirements under Section 31.2 of the Automotive Business Regulation.
4. Ensure all Mechanical Fitness Assessments are completed in full in compliance with Section 15 of the Vehicle Inspection Regulation.
5. Maintain all business records created or received while carrying on the activities authorized by the licence.
6. Bring all business practices into compliance as agreed upon in the Undertaking voluntarily entered into on March 9, 2021.

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"

Katie Lockton
Alberta Motor Vehicle Industry Council (AMVIC)
Acting Director of Fair Trading (as delegated)
February 22, 2022