

March 6, 2023

File # 22-12-060

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

**TO**

**Brooks Anthony STELLA**

**AND**

**AUTOPLEX ALBERTA 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 and Red Tape Reduction 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****AUTOPLEX ALBERTA INC.****AND****Brooks Anthony STELLA****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.

Brooks Anthony STELLA, a director of Autoplex Alberta Inc., is engaged in unregistered salesperson activity in contravention of the following:

Automotive Business Regulation (ABR)	Section 16 – Registration
Automotive Business Regulation (ABR)	Section 20.1 – Acting on behalf of business operator
<i>Consumer Protection Act (CPA)</i>	Section 140(2) - Registration

**DIRECTOR'S ORDER**

That Brooks Anthony STELLA, a director of Autoplex Alberta Inc. and any other employee, representative or agent of Autoplex Alberta Inc. **immediately cease engaging in unregistered salesperson activity** within the province of Alberta until properly registered as per Sections 16 and 20.1 of the Automotive Business Regulation and Section 140(2) of the *Consumer Protection Act*.

Autoplex Alberta Inc. and its director Brooks Anthony STELLA must immediately:

1. Cease all unregistered salesperson activity under Sections 16(1) and 20.1 of the Automotive Business Regulation and Section 140(2) of the *Consumer Protection Act*.
2. Remove all ads on mass media that solicit consumers by an unregistered salesperson until properly registered with the regulator AMVIC, to engage in this activity.

3. Review AMVIC website at: <https://www.amvic.org/salesperson/registration/apply-for-a-new-salesperson-registration/> for registration 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, 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)

March 7, 2023