

Feb. 14, 2023

File # 23-01-262

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

TO

Edgar NELSON and Taylor NELSON

d/b/a DV8 Performance & Tires 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****Edgar NELSON and Taylor NELSON****d/b/a DV8 Performance & Tires 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.

DV8 Performance & Tires Inc. is engaged in unlicensed, designated automotive business activity.

DV8 Performance & Tires Inc. is engaged in an automotive repair business and requires an AMVIC business licence and is in contravention of:

Consumer Protection Act Section 104(1)

DIRECTOR'S ORDER

That Edgar NELSON and Taylor NELSON and any other employee, representative or agent of DV8 Performance & Tires Inc. **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).

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)

February 23, 2023