

June 21, 2023

File # 22-07-318

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

TO

Jesse Lemuel ARGUETA

Also known as

Jesse MARTINEZ

OF

Gorilla Whisperer Enterprise 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

Jesse Lemuel ARGUETA

Also known as

Jesse MARTINEZ

OF

Gorilla Whisperer Enterprise Inc.

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.

Jesse Lemuel ARGUETA, aka Jesse MARTINEZ, and Gorilla Whisperer Enterprise Inc., is engaged in a designated automotive sales business in Alberta, at [REDACTED] Calgary, Alberta, without authorization to do so as issued by the regulator AMVIC.

*Consumer Protection Act*

Licence Required – designated business

Section 104(1) "No person may engage in a designated business unless the person holds a licence under this Act that authorizes the person to engage in that business."

### DIRECTOR'S ORDER

Jesse Lemuel ARGUETA, aka Jesse MARTINEZ, and Gorilla Whisperer Enterprise Inc., and any other employee, representative or agent, immediately cease engaging in unlicensed automotive business activity within the province of Alberta until properly licensed as per Section 104(1) of the *Consumer Protection Act* (CPA).

Jesse Lemuel ARGUETA, aka Jesse MARTINEZ, and Gorilla Whisperer Enterprise Inc. must immediately:

1. Cease engaging in unlicensed automotive business activity while unlicensed to do so under Section 104(1) of the *Consumer Protection Act*.
2. Remove any and all mass media communication sites and platforms that solicit the unlicensed activity until it has been issued a licence to lawfully operate by the regulator AMVIC.
3. Review AMVIC website at: [www.amvic.org/business/business-licence/apply-licence-registrationrenewals/](http://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 27<sup>th</sup>*, 2023