

Oct. 30, 2023

File # 23-05-074

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

TO

Sayeed Tahir SADAT

AND

National Motors Used Car Sales

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.

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ISSUE(S)

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

Sayeed Tahir SADAT, operating National Motors Used Car Sales in Calgary Alberta, is engaged in a designated automotive sales business without authorization to do so as issued by the regulator AMVIC.

Consumer Protection Act

Licence required – designated business

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.

Sayeed Tahir SADAT, operating National Motors Used Car Sales in Calgary Alberta, has failed to maintain business records as required in contravention of the following:

Consumer Protection Act (CPA)

Duty to maintain records

Section 132(1)

Every licensee and former licensee must create and maintain

- (a) complete and accurate financial records of its operations in Alberta for at least 3 years after the records are made, and
- (b) other records and documents described in the regulations for the period specified in the regulations.

Automotive Business Regulation (ABR)

Records

Section 9

In addition to the requirement to create and maintain financial records in accordance with Section 132(1) of the act, every business operator and former business operator must maintain all records and documents created or received while carrying on the activities authorized by the licence for at least three years after the records were created or received.

DIRECTOR'S ORDER

Sayed Tahir SADAT, National Motors Used Car Sales, 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 CPA.

Sayed Tahir SADAT, operating National Motors Used Car Sales comply with the requirements under Section 132 of the CPA and Section 9 of the ABR.

Sayed Tahir SADAT, operating National Motors Used Car Sales must immediately:

1. Cease engaging in unlicensed automotive business activity while unlicensed to do so under Section 104(1) of the CPA;
2. Remove any and all motor vehicle sale ads on mass media communication sites and platforms that solicit the unlicensed activity until issued a licence by the regulator AMVIC to lawfully operate;
3. Create and maintain records required by the CPA and ABR; and
4. 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)
October 31, 2023