AMVIC Alberta Motor Vehicle Industry Council

Alberta Motor Vehicle Industry Council
ALBERTA'S AUTOMOTIVE REGULATOR

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August 6, 2026

File # INS-26-07-078

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

TO

EDWARDS GARAGE LIMITED

AND

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.

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ISSUE

On July 29, 2026, the Alberta Motor Vehicle Industry Council ("AMVIC") performed an inspection on Edwards Garage Limited (the "Supplier"). It was found the Supplier had contravened legislation as set out in the CPA, and the Cost of Credit Disclosure Regulation ("COC").

Two vehicle files contained a document signed by both a representative of the Supplier and the consumer, stating that the consumer agreed not to pay off the loan for a period of 200 days and acknowledged that the loan could be paid off after the seventh payment.

Borrowers under fixed credit loans other than a mortgage loan, are entitled to payout the loan without penalty on any date.

> ***Consumer Protection Act***
> **Act prevails**
> **2(1)** Any waiver or release by a person of the person's rights, benefits or protections under this Act or the regulations is void.
>
> **(2)** Subsection (1) does not apply to a release made by a person in the settlement of a dispute.
>
> ***Consumer Protection Act***
> **Prepayment of non-mortgage credit**
> **68(1)** This section does not apply to mortgage loans.

(2) A borrower is entitled to pay the full outstanding balance under a credit agreement at any time without any prepayment charge or penalty.

(3) Where a borrower prepays the full outstanding balance under a credit agreement for fixed credit, the credit grantor must refund or credit the borrower with a portion of any non-interest finance charge that was paid by the borrower or was added to the outstanding balance of the credit agreement.

(4) The portion of each non-interest finance charge that must be refunded or credited to the borrower under subsection (3) is to be determined in accordance with the regulations.

(5) A borrower is entitled to prepay a portion of the outstanding balance of a credit agreement for fixed credit on any scheduled payment date or at least monthly without any prepayment charge or penalty, but is not entitled by reason of the payment to a credit for any non-interest finance charges.

Consumer Protection Act
Vicarious liability
166 For the purposes of this Act, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred

> (a) in the course of the employee's employment with the person, or
> (b) in the course of the agent's exercising the powers or performing the duties on behalf of the person under their agency relationship.

Cost of Credit Disclosure Regulation
Initial disclose statement for fixed credit
8(1) The initial disclosure statement for the purposes of section 77 of the Act for a scheduled-payments credit agreement must disclose the effective date of the statement and as much of the following information as is applicable:

> (s) for a credit agreement other than a mortgage loan, a statement that the borrower is entitled to prepay the entire outstanding balance at any time without penalty and is entitled to make partial prepayments without penalty on any scheduled payment date;

DIRECTOR'S ORDER

That Edwards Garage Limited, must immediately:

1. Cease representing to consumers that vehicle loans must be kept open for any period of time before the vehicle loan can be paid in full.

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*.

"original signed by"

Gerald Gervais, Registrar
Alberta Motor Vehicle Industry Council (AMVIC)
Director of Fair Trading (as delegated)
August 6, 2026