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**DIRECTOR'S ORDER UNDER SECTION 157**

**OF THE *FAIR TRADING ACT***

**TO**

**7083335 CANADA INC. DOING BUSINESS AS ADVANTAGE CUSTOM HOMES**

**AND TO RICHER E.S. BRZEZINSKY, RICHARD MARTIN,**

**AND TO**

**ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF 7083335 CANADA INC.,  
ADVANTAGE CUSTOM HOMES, RICHER E.S. BRZEZINSKY, OR RICHARD  
MARTIN**

This Director's Order was issued under s. 157(1) of the *Fair Trading Act* in response to, in the opinion of the Director, contraventions of the Act. As mandated by s. 157.1(1) of the *Fair Trading Act*, this Director's Order is part of the public record.

Albertans who have questions or concerns about this business are encouraged to contact the Service Alberta Consumer Contact Centre at 1-877-427-4088.

For more information on the *Fair Trading Act*, business licensing in Alberta or to search for a licensed business, please click here:

[Search for a Licensed Business, Charity or Fundraiser](#)

To view a tipsheet on this business licence category, please click here:

[Tipsheets](#)

Consumer Programs

3<sup>rd</sup> Floor, Commerce Place  
10155 - 102 Street  
Edmonton, Alberta  
Canada T5J 4L4

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**ISSUE**

On or about the October 16, 2014, 7083335 Canada Inc., doing business as Advantage Custom Homes, negotiated a renovation contract with an Edmonton area consumer. These negotiations occurred at a restaurant which is not the normal place of business for 7083335 Canada Inc. (Advantage Custom Homes). The consumer was informed during these negotiations that a deposit and progress payments would be required. 7083335 Canada Inc. (Advantage Custom Homes) was later contracted to conduct the renovations and the consumer was required to pay the deposit and progress payments. Richer E.S. Brzezinsky operates the business and conducted the negotiations. Richer E.S. Brzezinsky used the name of Richard Martin when dealing with these consumers.

A "Prepaid Contracting Business" means the activities of soliciting, negotiating or concluding in person, at any place other than the seller's place of business, a Prepaid Contract.

A "Prepaid Contract" means a construction or maintenance contract in which all or part of the contract price is to be paid before all of the goods or services called for in the contract are provided.

A "Construction or Maintenance Contract" in part means a contract for the purposes of constructing, altering, maintaining, repairing, adding to or improving a person's own private dwelling or a structure / building located on the same property, used in conjunction with the person's own private dwelling or improving real estate property to be used in connection with the person's own private dwelling / building / structure.

**ORDER**

- 7083335 Canada Inc. dba Advantage Custom Homes through any employee, representative, agent or associate must immediately stop engaging in the activities of a Prepaid Contracting Business, by soliciting, negotiating or concluding in person, at any place other than the seller's place of business, a prepaid contract until licensing has been obtained.
- Richer E.S. Brzezinsky, Richard Martin, individually, as an agent or director of 7083335 Canada Inc. dba Advantage Custom Homes, or through any employee, representative, agent or associate must immediately stop engaging in the activities of a Prepaid Contracting Business, by soliciting, negotiating or concluding in person, at any place other than the seller's place of business, a prepaid contract until licensing has been obtained.

**NON COMPLIANCE WITH ORDER**

- **ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER OF THE DIRECTOR UNDER SECTION 157 OF THE *FAIR TRADING ACT* CONTRAVENES THIS ACT AND IS GUILTY OF AN OFFENCE AND MAY BE PROSECUTED PURSUANT TO SECTION 163 OF THE *FAIR TRADING ACT*.**



Scott Hood  
Director of Fair Trading (as delegated)  
June 16, 2016