
**DIRECTOR'S ORDER UNDER SECTION 157
OF THE *FAIR TRADING ACT*
TO
YORK RESTORATION INC.**

**and MR. ANATOLY ROMANICHIN, Owner,
and ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF YORK RESTORATION
INC. OR MR. ANATOLY ROMANICHIN**

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](#)



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ISSUE

York Restoration Inc. of Toronto, Ontario is advertising its restoration and cleaning services in the community of Fort McMurray, Alberta through flyers and posters.

The flyer contains the following wording "York's Deductible Help Program is offering to pay for your deductible of up to \$1000 with a complete and speedy restoration service. For more information please contact The York Group at 1-888-403-3566."

At the bottom of the flyer is the previous blue "Alberta" logo, used by the Government of Alberta and officially known as the "Alberta Signature". According to the Public Affairs Bureau of the Government of Alberta, the blue "Signature" was used from 1972 to 2009. It was trade-marked by the Province of Alberta through the Canadian Intellectual Property Office in 1972. The "Alberta Signature" logo was changed in 2009 and 2012, however all versions of the "Alberta signature", past and present, are registered trademarks protected by the Trademarks Act of Canada and cannot be used by other businesses or organizations.

York Restoration Inc. and its Director, Mr. Anatoly Romanichin do not have permission to use the "Alberta Signature." The Government of Alberta is playing a key role in the rebuilding of Fort McMurray and the surrounding area after the recent wildfire. Unauthorized and improper use of its "Alberta Signature" or logo on the flyers for York Restoration Inc. may mislead consumers into believing that this Toronto company is either endorsed by, sponsored by, or has the backing of, or acts on behalf of the Alberta Government.

Mr. Anatoly Romanichin and York Restoration Inc. were first notified of concerns regarding the use of the "Alberta signature" on its flyers on June 21, 2016. Statements were made by Mr.

Romanichin and York Restoration staff that the “Alberta Signature” would no longer be used, and flyers posted with this logo would be removed promptly. As of June 29, 2016 these flyers containing the “Alberta Signature” logo remain posted in large numbers and are highly visible throughout the community of Fort McMurray.

LEGISLATION

The following sections are excerpts from the *Fair Trading Act*.

Unfair Practices:

6(4) *Without limiting subsections (2) and (3), the following are unfair practices if they are directed at one or more potential consumers:*

- (a)** *a supplier’s doing or saying anything that might reasonably deceive or mislead a consumer;*
- (b)** *a supplier’s misleading statement of opinion if the consumer is likely to rely on that opinion to the consumer’s disadvantage;*
- (c)** *a supplier’s representation that goods or services have sponsorship, approval, performance, characteristics, accessories, ingredients, quantities, components, uses, benefits, or other attributes that they do not have;*
- (d)** *a supplier’s representation that the supplier has a sponsorship, approval, status, qualification, affiliation, or connection that the supplier does not have*

ORDER

- York Restoration Inc. must immediately:
 - discontinue all use of the “Alberta Signature” logo trademarked by the Government of Alberta when soliciting business
 - remove all advertisements produced which contain the “Alberta Signature” logo
- Mr. Anatoly Romanichin, either in his own capacity or when acting on behalf of a business which he represents, or in which he has an interest must immediately:
 - discontinue all use of the “Alberta Signature” logo trademarked by the Government of Alberta when soliciting business
 - remove all advertisements produced which contain the “Alberta Signature” logo
- Any employee, representative, agent or associate of Mr. Anatoly Romanichin or York Restoration Inc. must immediately:
 - discontinue all use of the “Alberta Signature” logo trademarked by the Government of Alberta when soliciting business

- remove all advertisements produced which contain the “Alberta Signature” logo

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.**



Trevor Bergen
Director of Fair Trading
Dated June 30, 2016