

DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT

TO

JERRY CHALIFOUX

AND TO

7 C'S ALL STAR CLEANING LTD.

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE OF
JERRY CHALIFOUX OR 7C'S ALL STAR CLEANING LTD**

Issues

Jerry Chalifoux, the sole director and shareholder of 7 C's All Star Cleaning Ltd., negotiated and concluded in person a verbal residential construction contract on or about August, 2007 with [redacted] at her residence to reshingle the roof of her residence. [redacted] had obtained Mr. Chalifoux's contact information from the Senior Association of Greater Edmonton (SAGE) as a business willing to work for seniors.

Prior to work starting Mr. Chalifoux requested a \$1500 deposit from [redacted]. On September 7, 2007 Mr. Chalifoux attended the residence of [redacted] and was paid the \$1500 in cash. Mr. Chalifoux issued a receipt showing the total price of the roofing job as \$2972 less the deposit of \$1500 leaving a balance owing of \$1472. At the time the deposit was provided to Mr. Chalifoux no work had been done on [redacted] residence.

In July 2008 Mr. Chalifoux was provided with information regarding license requirements or to confirm his company would not operate in a prepaid contracting manner. Mr. Chalifoux subsequently stated that he would not operate as a prepaid contractor and would submit a letter to confirm. He also stated he would not renew his registration with SAGE.

Mr. Chalifoux failed to submit his letter and did not request to subsequent requested. SAGE confirms that Mr. Chalifoux and his company continue to be registered with SAGE as a business willing to do work for seniors.

This activity constitutes a Prepaid Contracting Business requiring either Jerry Chalifoux or 7 C's All Star Cleaning Ltd. to be licensed as a prepaid contract under section 104(1) of the *Fair Trading Act*.

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 and Maintenance Contract means a contract for the purpose of constructing, altering, maintaining, repairing, adding to or improving a building that is used as the person's own private dwelling or a structure that is to be used in connection with a person's own private dwelling and is located on the same property or altering, maintaining or improving real property to be used with the person's own private dwelling/structure/building.

There is a reasonable likelihood that Mr. Chalifoux and his company will continue to operate in a manner that requires a prepaid contracting business licence and may be a risk to the public.

Order

- Jerry Chalifoux and any employee, representative, agent or associate must immediately cease engaging in the activities of a "Prepaid Contracting Business" in Alberta until the licence requirements have been met.
- 7 C's All Star Cleaning Ltd. and any employee, representative, agent or associate must immediately cease engaging in the activities of a "Prepaid Contracting Business" in Alberta until the licence requirements have been met.

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)
March 23, 2009