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**DIRECTOR'S ORDER UNDER SECTION 157**

**OF THE *FAIR TRADING ACT***

**TO**

**A AB. LOCK SURGEON LTD.**

**AND MR. KEITH CURTIS BOOTH**

**AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF A AB. LOCK SURGEON LTD.**

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**

The Consumer Investigations Unit of Service Alberta conducted a proactive investigative operation to determine whether specific locksmiths are engaging in unfair trading practices in the city of Edmonton. Investigators from the Law Enforcement & Oversight Branch of Justice and Solicitor General, the department responsible for the licensing of locksmiths in the province of Alberta, participated in the operation.

The same lock was used as a control during the operation so that contacted locksmiths would be attempting to open the same lock. The lock was installed by an experienced and licensed locksmith. This lock was also picked by the locksmith to show the speed and technique that would be used by locksmiths to gain entry into this lock.

A AB. Lock Surgeon Ltd. was contacted to attend a residential premises for a lock-out. The employee dispatched by the company was Mr. Keith Curtis Booth. Unlike the speed and technique of the experienced and locksmith, Mr. Booth was unable to pick the lock to open the door and after 30 minutes resorted to more aggressive means by forcibly twisting the knob and lock mechanism until it broke off. After gaining access to the home, Mr. Booth proceeded to use tools to try to straighten out the damaged inner mechanism of the lock. He then re-installed the damaged lock on the home.

Mr. Booth told the investigator he was properly trained as a locksmith and that "all locksmiths in Alberta have to be licensed" and undergo a "criminal record check". This statement by Mr. Booth to the investigator (who he believed to be a consumer) would cause any reasonable consumer to believe that he therefore was licensed and had undergone a criminal record check. Law Enforcement & Oversight Branch of Alberta Justice and Solicitor General confirm that Mr. Booth did not obtain the required locksmith license and therefore did not have the authority to be working as a locksmith in the province of Alberta.

Mr. Booth arrived in a marked company van with the logos of "Lock Surgeon". Mr. Booth used a payment terminal in the company's name, and all invoices and receipts provided by Mr. Booth bear the name "Lock Surgeon". A AB. Lock Surgeon confirms Mr. Booth worked for that company and advises that management did not follow up with Mr. Booth to ensure he had obtained the necessary license before dispatching him on service calls as their employee.

Unlicensed locksmiths are a matter of public interest and safety. Individuals in this industry are required to help secure homes, businesses and belongings. They are entrusted to help keep homes, businesses and families safe with their workmanship. They are given access to tools that allow them to enter premises and vehicles legally, but to be authorized to do so they must meet certain requirements and obtain a license from the province of Alberta under the *Security Services and Investigators Act*. An unlicensed locksmith may not have undergone the proper criminal record check and may not have the training to install locks properly, thereby leaving a home or business vulnerable to theft or breach. Mr. Booth was aware that he was required to obtain and hold a valid locksmith license in Alberta. He did not ensure that he obtained this, performed these services without the required license, and misrepresented his license status to the investigator.

A AB. Lock Surgeon (previously known as Lock Surgeon Inc.) has been in the locksmith industry in Alberta for many years and should be aware of the guidelines in place that govern this industry and its staff. Yet, it was not company policy to ensure that locksmiths in its employ did follow through and obtain the license or criminal record check. Mr. Booth no longer works for A AB. Lock Surgeon Ltd.

## **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*
- (d) a supplier's representation that the supplier has a sponsorship, approval, status, qualification, affiliation, or connection that the supplier does not have*

## **ORDER**

- A AB. Lock Surgeon Ltd. must immediately:
  - cease from doing or saying anything that might reasonably deceive or mislead a consumer
  - cease from representing that it has a sponsorship, approval, status, qualification, affiliation, or connection that it does not have.

- Mr. Keith Curtis Booth, 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:
  - cease from doing or saying anything that might reasonably deceive or mislead a consumer
  - cease from representing that he has a sponsorship, approval, status, qualification, affiliation, or connection that he does not have.
  
- Any employee, representative, agent or associate of A AB. Lock Surgeon Ltd. must immediately:
  - cease from doing or saying anything that might reasonably deceive or mislead a consumer
  - cease from representing that they have a sponsorship, approval, status, qualification, affiliation, or connection that they do not have.

**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.**



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Trevor Bergen  
Director of Fair Trading  
Dated January 6, 2017