
DIRECTOR'S ORDER UNDER SECTION 157

OF THE *FAIR TRADING ACT*

TO

ANGEL'S MEMORIALS INC.,

HOANG DINH,

HAI DINH

AND

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF ANGEL'S MEMORIALS INC.

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](#)

DIRECTOR'S ORDER UNDER SECTION 56 OF THE CEMETERIES ACT

TO

ANGEL'S MEMORIALS INC.,

HOANG DINH,

HAI DINH

AND

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF ANGEL'S MEMORIALS INC.

ISSUE

On or about June 4, 2016, Hai (Keenan) Dinh, operating as an employee of Angel's Memorials Inc., entered into a contract with an Edmonton-area consumer for the order, engraving, delivery and installation of a Black Granite 60" x 8" x 36" monument with a base measuring 72" x 14" x 10".

Following the death of a family member, this consumer entered into a contract for the aforementioned monument. The design of the monument included the name of the deceased, along with his date of birth, date of death, an epitaph and design. Also included on the contract were pre-need components for two other family members whose names and respective dates of birth would be pre-engraved on the same monument.

The contract entered into does not contain a detailed listing of the supplies or services that were to be provided. The cost of the contract is identified only as "Subtotal \$14,250 – GST \$712.50 – Total \$14,692.50". The contract asks for 50% of the total cost as a deposit. The costs for transportation and engraving are not identified. Delivery and installation are quoted as "included".

As defined under section 1(d) of the *Cemeteries Act*, "cemetery supplies" means burial vaults, grave stones, grave liners, grave markers, monuments or bases for use in a cemetery.

The requirements for cemetery contracts are outlined under section 4 of the Cemeteries General Regulation. This section states that a contract for the provision of cemetery supplies or cemetery services or both shall be:

- in writing,
- be signed by the purchaser and the vendor,
- contain a detailed listing of the cemetery supplies or cemetery services or both to be provided by the vendor and the cost to be charged to the purchaser for each of those cemetery supplies and cemetery services, and
- contain a statement disclosing what portion of the money paid as the consideration under the contract is for the provision of perpetual care.

ORDER

- Angel's Memorials Inc. through any employee, representative, agent or associated must immediately:
 - Ensure that all contracts contain a detailed listing of the cemetery supplies or cemetery services or both to be provided by the vendor and the cost to be charged to the purchaser for each of those cemetery supplies and cemetery services as required under section 4 of the Cemeteries General Regulation.

- Hai (Keenan) Dinh must immediately:
 - Ensure that all contracts contain a detailed listing of the cemetery supplies or cemetery services or both to be provided by the vendor and the cost to be charged to the purchaser for each of those cemetery supplies and cemetery services as required under section 4 of the Cemeteries General Regulation.

NON COMPLIANCE WITH ORDER

WHETHER OR NOT A PERSON IS PROSECUTED UNDER THIS ACT, IF THE DIRECTOR IS OF THE OPINION THAT THAT PERSON IS NOT COMPLYING OR HAS NOT COMPLIED WITH AN ORDER OF THE DIRECTOR UNDER SECTION 51(6) OR 56, THE DIRECTOR MAY APPLY TO THE COURT OF QUEEN'S BENCH FOR AN ORDER DIRECTING THAT PERSON TO COMPLY WITH THE ORDER.



Deborah Wagar
Director of Cemeteries (as delegated)
October 26, 2017