
DIRECTOR'S ORDER UNDER SECTION 157

OF THE *FAIR TRADING ACT*

TO

ASK HOMES & RENO LTD.,

AND

ADAM BEDNARSKI, SARAH BOTTOMLEY

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF ASK HOMES & RENO LTD.,
ADAM BEDNARSKI OR SARAH BOTTOMLEY**

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

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

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

[Tipsheets](#)

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ISSUE

On or about the February 28, 2015 Adam Bednarski and Sarah Bottomley, operating the business Ask Homes & Reno Ltd., negotiated a contract to renovate a basement of a Beaumont, Alberta area consumer. These negotiations occurred at this consumer's private residence. The consumer was told that progress payments would be required if Ask Homes & Reno Ltd. was contracted to conduct these renovations. Ask Homes & Reno Ltd. was contracted to renovate the basement and progress payments were billed to the consumer.

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

- Ask Homes & Reno Ltd., through any employee, representative, agent or associate must immediately:
 - cease from entering into prepaid contracts (accepting down payments, deposits or progress payments before the work is fully completed on contracts solicited, negotiated or concluded in person away from the company's place of business) with residential consumers until the licensing requirements have been met; and
 - ensure that all prepaid contracts are in writing and include the terms required by the Prepaid Contracting Business Licensing Regulation and *Fair Trading Act*.

- Adam Bednarski and Sarah Bottomley, individually, as an agent or director of Ask Homes & Reno Ltd., or through any employee, representative, agent or associate must immediately:
 - cease from entering into prepaid contracts (accepting down payments, deposits or progress payments before the work is fully completed on contracts solicited, negotiated or concluded in person away from the company's place of business) with residential consumers until the licensing requirements have been met; and
 - ensure that all prepaid contracts are in writing and include the terms required by the Prepaid Contracting Business Licensing Regulation and *Fair Trading Act*.

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)
November 17, 2015