

BENEDICT (BEN) CHEESEMAN
B & W RENO'S
WANDA JONES-CHEESEMAN
B & W RENO'S

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.

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

TO

BENEDICT (BEN) CHEESEMAN O/A B&W RENO'S

TO

WANDA JONES-CHEESEMAN O/A B&W RENO'S

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, AGENT, OR ASSOCIATE OF
BENEDICT (BEN) CHEESEMAN AND WANDA JONES-CHEESEMAN
O/A B&W RENO'S**

Issues:

Ben Cheeseman o/a B&W Reno's solicited, negotiated or concluded in person a residential renovation contract on or about July 14, 2006, with _____ at her residence to remove and install new shingles, install two whirly bird ventilation units and to install channels with blown in insulation in the attic for a total cost of \$7,000.00. _____: paid a deposit of \$2,000.00 at the time of entering into the contract and before all of the goods or services called for in the contract were provided.

This activity constitutes a "Prepaid Contracting Business" requiring Benedict (Ben) Cheeseman and Wanda Jones-Cheeseman o/a B&W Reno's to be licensed as required under section 104(1) of the Fair Trading Act.

At the time of entering into the prepaid contract with _____, Benedict (Ben) Cheeseman and/or Wanda Jones-Cheeseman o/a B&W Reno's were not licensed as a Prepaid Contracting Business as required 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 or Maintenance Contract" in part means a contract for the purpose 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 connection with a person's own private dwelling or improving real property to be used in connection with the person's own private dwelling/building/structure

ORDER:

Benedict (Ben) Cheeseman o/a B&W Reno's, individually or through any employee, representative, agent, or associate, must immediately stop engaging in the activities of a "Prepaid Contracting Business" by soliciting, negotiating or concluding in person, at any place other than the seller's place of business, a prepaid contract.

Wanda Jones-Cheeseman o/a B&W Reno's, individually or through any employee, representative, agent, or associate, must immediately stop engaging in the activities of a "Prepaid Contracting Business" by soliciting, negotiating or concluding in person, at any place other than the seller's place of business, a prepaid contract.

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)
May 23, 2007