

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

TO

CALGARY CONCRETE CREATIONS LTD.

and to

ZIAD MOHAMMED HAMMOUD, Director and Shareholder

and to

ISSAM EL-MAJZOUB, Director

ISSUES:

On June 21, 2008 Calgary Concrete Creations Ltd. representative, Ziad Mohammed Hammoud, solicited and negotiated a contract for concrete work to be performed at the home of a Calgary consumer. On June 25, 2008, Calgary Concrete Creations Ltd., represented by Ziad Mohammed Hammoud, demanded and received a deposit of \$1,442.70 prior to the work being completed. It was agreed the work would commence July 28, 2008. The work was not commenced on the agreed upon date and the consumers cancelled the contract and demanded a refund of the monies paid. Subsequently, the consumers obtained a judgment in Provincial Court against Calgary Concrete Creations Ltd.

The activities of Calgary Concrete Creations Ltd. by its directors and shareholders constitutes a Prepaid Contracting Business requiring that Calgary Concrete Creations Ltd. be licensed as a prepaid contractor 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 of 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 the 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.

ORDER:

- Calgary Concrete Creations Ltd., its directors and shareholders, Ziad Mohammed Hammoud and Issam El-Majzoub, and any employee, representative, agent or associate on their behalf or behalf of another business 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 until the license 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)
May 29, 2009