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**DIRECTOR'S ORDER UNDER SECTION 157**

**OF THE *FAIR TRADING ACT***

**TO**

**CREATION BY RENOVATION INC.**

**AND**

**MARK DAVID KLAVIR**

**AND**

**NATHAN DENIS STUART HORTON**

**AND TO ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF**

**CREATION BY RENOVATION INC., MARK DAVID KLAVIR OR NATHAN DENIS  
STUART HORTON**

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](#)

Consumer Programs

3<sup>rd</sup> Floor, Commerce Place  
10155 - 102 Street  
Edmonton, Alberta  
Canada T5J 4L4

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**ISSUE**

On or about April 8, 2015, Nathan Denis Stuart Horton attended a consumer's residence for the purpose of negotiating and concluding a sales contract for a Baxi furnace (hot water on demand system) on behalf of Creation by Renovation Inc. The contract was entered into in the consumer's home and negotiations concluded on April 8, 2015.

This activity constitutes a "direct selling business" requiring the person or business to be licensed under Section 104(1) of the *Fair Trading Act*. A Direct Selling Business means the activities of soliciting, negotiating or concluding in person, at any place other than the seller's place of business, sales contracts for the provision of goods and services, where the buyer is a consumer.

The written contract for the hot water system/furnace purchase provided to the consumer failed to meet the requirements of *Section 35* of the *Fair Trading Act*.

Creation by Renovation Inc. is registered as an incorporated company in Alberta but has its headquarters in Toronto, Ontario. Its Director is listed as Mark David Klavir. Neither Creation by Renovation Inc, Mark David Klavir nor Nathan Denis Stuart Horton held a Direct Selling Business License in Alberta at the time of this sale.

There is the potential that this company or individuals will enter into direct sales contracts in Alberta in the future without possessing the required license, in violation of the *Fair Trading Act*.

**ORDER**

- Creation by Renovation Inc. must immediately:
  - cease from engaging in the activities of a Direct Selling Business in Alberta until the licensing requirements have been met; and
  - ensure that all written direct sales contracts include the terms required by the *Fair Trading Act*.
  
- Mark David Klavir, either in his own capacity or when acting on behalf of a corporation in which he has an interest or by which he is employed, must immediately:
  - cease from engaging in the activities of a Direct Selling Business in Alberta until the licensing requirements have been met; and
  - ensure that all written direct sales contracts include the terms required by the *Fair Trading Act*.
  
- Nathan Denis Stuart Horton, either in his own capacity or when acting on behalf of a corporation in which he has an interest or by which he is employed, must immediately:
  - cease from engaging in the activities of a Direct Selling Business in Alberta until the licensing requirements have been met; and
  - ensure that all written direct sales contracts include the terms required by the *Fair Trading Act*.
  
- Any employee, representative, agent or associate of Creation by Renovation Inc., Mark David Klavir, or Nathan Denis Stuart Horton must immediately:
  - cease from engaging in the activities of a Direct Selling Business in Alberta until the licensing requirements have been met; and
  - ensure that all written direct sales contracts include the terms required by the *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)  
December 11, 2017