
**DIRECTOR'S ORDER UNDER SECTION 157
OF THE *CONSUMER PROTECTION ACT* (formerly the *Fair Trading Act*)**

TO

DANIEL DAOUST, DOING BUSINESS AS DB ELECTRICAL, D&B ELECTRICAL

AND TO

**AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF DANIEL DAOUST, DB
ELECTRICAL, D&B ELECTRICAL**

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](#)

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ISSUE

On August 27, 2017, Mr. Daniel Daoust, operating as D&B Electrical, negotiated and concluded a renovation contract with an Edmonton area consumer at their personal residence. The contract required the consumer to pay a deposit. The consumer paid the deposit when the contract was agreed to. The contract used by Mr. Daoust did not contain all of the legislative requirements of a prepaid contract. The consumer cancelled their contract with Mr. Daoust on February 1, 2018 because Mr. Daoust was not a licensed as a prepaid contracting business. Mr. Daoust failed to refund money paid by the consumer within 15 days of the contract being cancelled.

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

- Daniel Daoust, individually, as an agent, director or owner of DB Electrical, D&B Electrical, 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 until licensing has been obtained.
 - ensure that all written direct sales contracts include the terms required by the Prepaid Contracting Business Licensing Regulation and the *Consumer Protection Act*.

NON COMPLIANCE WITH ORDER

- **ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER OF THE DIRECTOR UNDER SECTION 157 OF THE *CONSUMER PROTECTION ACT* CONTRAVENES THIS ACT AND IS GUILTY OF AN OFFENCE AND MAY BE PROSECUTED PURSUANT TO SECTION 163 OF THE *CONSUMER PROTECTION ACT*.**



Scott Hood
Director of Fair Trading (as delegated)
June 13, 2018