
DIRECTOR'S ORDER UNDER SECTION 157

OF THE *FAIR TRADING ACT*

TO

JAY-KUR CONTRACTING LTD.,

JAY ADAMS, KURENA ADAMS

AND TO

**AND ANY EMPLOYEE, REPRESENTATIVE OR AGENT
OF JAY-KUR CONTRACTING LTD., JAY ADAMS OR KURENA ADAMS**

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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[Tipsheets](#)

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ISSUE

Jay Adams and Kurena Adams are directors of the corporation Jay-Kur Contracting Ltd. Between August 21, 2014 and September 15, 2014 Jay-Kur Contracting Ltd. concluded contracts to renovate the private residence of an Edmonton area consumer at the consumer's residence. The consumer was required to give Jay-Kur Contracting Ltd. a deposit before renovations would commence. The consumer was also required to make progress payments before all renovation work as agreed to in the contract was completed. These actions of Jay-Kur Contracting constitute that this business is operating as a prepaid contractor.

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

- Jay-Kur Contracting 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*.

- Jay Adams and Kurena Adams, individually, as an agent or director of Jay-Kur Contracting 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 4, 2015