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

TO

BARRY ALLEN PATTERSON, BARRY WILLIAM PATTERSON, JOHN PATTERSON

AND TO

PRECISION PRE-FABS LTD. PRECISE PRE-FABS

AND TO

**ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF
BARRY ALLEN PATTERSON, WILLIAM PATTERSON, JOHN PATTERSON AND
PRECISION PRE-FABS LTD. PRECISE PRE-FABS**

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

Commerce Place
10155 - 102 Street
Edmonton, Alberta
Canada T5J 4L4

Telephone 780-422-8134
Fax 780-427-3033

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

TO

BARRY ALLEN PATTERSON, BARRY WILLIAM PATTERSON, JOHN PATTERSON

AND TO

PRECISION PRE-FABS LTD, PRECISE PRE-FABS

AND TO

ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE OF BARRY ALLEN PATTERSON, BARRY WILLIAM PATTERSON, JOHN PATTERSON AND PRECISION PRE-FABS LTD, PRECISE PRE-FABS

Background and Issues

Precision Pre-Fabs, solicited, negotiated, or concluded in person away from their business premises a residential renovation contract with Alberta consumers. The respective contract was entered into on February 25, 2016. In this instance the consumers provided a deposit before the contract was completed.

This activity constitutes a “**Prepaid Contracting Business**” requiring Barry Allen Patterson, Barry William Patterson, John-Michael Patterson and/or Precision Pre-Fabs and/or Precise Pre-Fabs to be licensed as required under Section 104(1) of the *Fair Trading Act*.

At the time of entering into the prepaid contact with these consumers, Barry Allen Patterson, Barry William Patterson, John Patterson and/or Precision Pre-Fabs and/or Precise Pre-Fabs were not licensed as a Prepaid Contracting Business as required under Section 104(1) of the *Fair Trading Act*.

The Direct Sales Contract that was used did not comply with the requirements of Section 35 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 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

Section 104(1) *Fair Trading Act*

- Barry Allen Patterson must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed) with residential consumers until licensing requirements have been met.
- John-Michael Patterson must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed) with residential consumers until licensing requirements have been met.
- Barry William Patterson must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed) with residential consumers until licensing requirements have been met.
- Precision Pre-Fabs Ltd. through any employee, representative, agent, or associate must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed) with residential consumers until licensing requirements have been met.
- Precise Prefabs through any employee, representative, agent, or associate must immediately cease entering into prepaid contracts (taking down payments, deposits or progress payments before the work is fully completed) with residential consumers until licensing requirements have been met.

Section 10(2) Prepaid Contracting Business Licensing Regulation

- Barry Allen Patterson must ensure that all prepaid contracts are in writing and include the terms required by the Prepaid Contracting Business Licensing Regulation and *Fair Trading Act* and provide a copy of the signed contract to the buyer.

- John-Michael Patterson must ensure that all prepaid contracts are in writing and include the terms required by the Prepaid Contracting Business Licensing Regulation and *Fair Trading Act* and provide a copy of the signed contract to the buyer.
- Barry William Patterson must ensure that all prepaid contracts are in writing and include the terms required by the Prepaid Contracting Business Licensing Regulation and *Fair Trading Act* and provide a copy of the signed contract to the buyer.
- Precision Pre-Fabs Ltd. through any employee, representative, agent, or associate must ensure that all prepaid contracts are in writing and include the terms required by the Prepaid Contracting Business Licensing Regulation and *Fair Trading Act* and provide a copy of the signed contract to the buyer.
- Precise Prefabs through any employee, representative, agent, or associate must ensure that all prepaid contracts are in writing and include the terms required by the Prepaid Contracting Business Licensing Regulation and *Fair Trading Act* and provide a copy of the signed contract to the buyer.

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)
October 16, 2017