

**DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT**  
**TO**  
**WINDOWS OF OPPORTUNITY INC.**  
**AND TO**  
**LUCITA BARBON – DIRECTOR AND TO HAROLD BURDEN – DIRECTOR**  
**AND TO CLARENCE EWASIUK – DIRECTOR**

Lucita Barbon, Harold Burden and Clarence Ewasiuk are directors of and operate Windows of Opportunity Inc. Service Alberta has investigated allegations related to employment agency activities engaged in by Windows of Opportunity Inc. and determined that:

1. Windows of Opportunity Inc. has engaged in the activities of an employment agency without an employment agency business license.
2. Windows of Opportunity Inc. has demanded and collected fees in violation of s.9 of the *Employment Agency Business Licensing Regulation*.
3. Windows of Opportunity Inc. has provided consumers a misleading statement of opinion if the consumer is likely to rely on that opinion to the consumer's disadvantage. s. 6(4)(b) Fair Trading Act

**Legislation**

The *Designation of Trade and Business Regulation* AR8/2006 states:

Section 4(1):

Part 10 of the *Fair Trading Act* applies to the employment agency business.

Section 4(2):

In this section, "employment agency business" means the activities of securing persons for employment, securing employment for person or evaluating or testing persons for employers who are seeking employees.

The *Fair Trading Act* states:

Section 6(4)(b)

A supplier's misleading statement of opinion if the consumer is likely to rely on that opinion to the consumer's disadvantage.

Section 104(1):

No person may engage in a designated business unless the person holds a licence under this Act that authorizes the person to engage in that business.

The *Employment Agency Business Licensing Regulation* AR 189/99 states:

Section 9 states:

- (1) No business operator may directly or indirectly demand or collect a fee, reward or other compensation
- a. From a person who is seeking
    - i. Employment, or
    - ii. Information respecting employers seeking employees

or

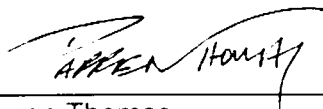
  - b. From a person
    - i. For securing or endeavoring to secure employment for the person, or
    - ii. For providing the person with information respecting any employer seeking an employee.

**Order:**

- Windows of Opportunity Inc., Lucita Barbon, Harold Burden, and Clarence Ewasiuk, individually or through any employee, representative, agent or associate, must immediately stop demanding or indirectly demanding or collecting a fee, reward or other compensation from a person who is seeking employment, or from a person for securing or endeavoring to secure employment for the person.
- Windows of Opportunity Inc., Lucita Barbon, Harold Burden, and Clarence Ewasiuk, individually or through any employee, representative, agent or associate, must immediately stop engaging in the activities of an employment agency business until properly licensed as an Employment Agency Business.

**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.**



Darren Thomas  
Director of Fair Trading (as delegated)

November 4, 2008