

**IN THE MATTER OF
THE FAIR TRADING ACT**

THIS UNDERTAKING is made pursuant to Section 152 of the Fair Trading Act.

BY:

Richard A. White
903; 920 9 Avenue SW
in the City of Calgary, in the Province of Alberta,

(hereinafter called the "**Supplier**")

TO:

The **DIRECTOR OF FAIR TRADING,**

(hereinafter called the "**Director**")

WHEREAS:

- (A) The Supplier is a licensed collector (#176436) who is authorized to conduct business in Alberta, and is currently employed by CBV Collection Services Ltd.
- (B) The Supplier has informed the Department that he understands the issues and circumstances surrounding the Undertaking and admits he is aware of the prohibited practices under Section 116 of the Fair Trading Act.
- (C) The Supplier acknowledges that, in the ordinary course of business, while employed as a collector by CBV Collection Services Ltd., did place phone calls to _____ that were of such a nature or frequency to constitute harassment and used tactics including raising his voice, cutting debtors off and terminating calls by hanging up. _____

- (D) The Supplier acknowledges that, in the ordinary course of business, while employed as a collector by CBV Collection Services Ltd., he did place phone calls to _____ at his place of employment after the debtor requested that the Supplier not contact the debtor there.
- (E) The Supplier acknowledges that, in the ordinary course of business, while employed as a collector by CBV Collection Services Ltd., he did place phone calls to _____ at his place of employment where he spoke with a person other than the debtor for reasons unrelated to gaining contact information or verifying employment.
- (F) The Director asserts that he has reason to believe that the acts or practices of the Supplier described in recitals C, D, and E hereof constitute breaches of the Fair Trading Act.

NOW THEREFORE THIS UNDERTAKING WITNESSES THAT:

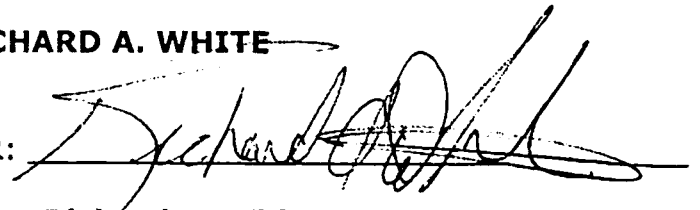
1. The Supplier acknowledges and admits that it has failed to comply with the provision of the Fair Trading Act and undertakes to the Director that the Supplier will not, at any time hereafter, engage in acts or practices similar to those described in recitals C, D, and E contrary to section 116 (j) (l) and (n).
2. The Supplier will ensure that when contacting Albertans, he will not place calls of such nature or frequency as to constitute harassment.
3. The Supplier will ensure that when contacting Albertans, he will not continue to call places of employment if the debtor has requested the Supplier or collection agency to no longer contact them there and has made reasonable arrangements to discuss the debt with the Supplier or collection agency.
4. The Supplier will forthwith ensure compliance with the Part 11 provisions of The Fair Trading Act, particularly section 116.
5. It is understood that the Supplier has:
 - i) Taken steps to ensure that he acts in a professional manner at all times when contacting Albertans.

5. This Undertaking will be binding upon the Supplier unless:
- (a) Terminated by the Director or varied with the consent of the Supplier;
 - (b) Varied by an Order of the Judge of the Court of Queen's Bench where the Judge is satisfied that the circumstances warrant varying the provisions of the Undertaking; or
 - (c) Terminated by an Order of the Judge of the Court of Queen's Bench where the Judge is satisfied that the act or practice that the Supplier has undertaken to refrain from engaging in was not unfair: however, in any such case, the termination or variance does not invalidate anything done under this Undertaking prior to termination or variance.
6. The Supplier acknowledges that the Director may, upon breach by the Supplier of any term of the Undertaking, institute such proceedings and take such action under the Fair Trading Act, as he may consider necessary.
7. The Supplier will pay to the Minister of Finance of Alberta the sum of \$300.00; an amount that represents a portion of the costs associated with investigating this matter. Such payment is to be made within 45 days from the date of this Undertaking.
8. The Supplier acknowledges that he was advised by Alberta Government Services, and is aware that he is entitled to seek independent professional advice regarding the signing of this Undertaking, and the Supplier acknowledges that he is entering into this Undertaking voluntarily.

IN WITNESS WHEREOF the Supplier, has on the 24th day of November, 2004 signed this document.

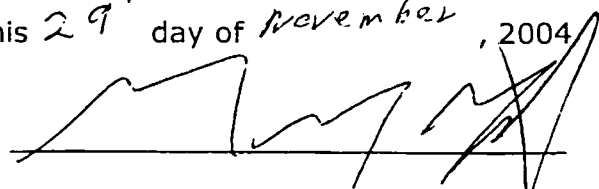
RICHARD A. WHITE

PER:



Richard A. White

ACCEPTED by the Director of Fair Trading this 29th day of November, 2004



DIRECTOR OF FAIR TRADING