

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

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

BY: **C.G.C. Collection Group of Canada Inc.**
4 Lansing Square, Suite 210
In the City of North York, in the Province of Ontario

(hereinafter called the "Supplier")

TO: **The DIRECTOR OF FAIR TRADING**

(hereinafter called the "Director")

WHEREAS:

- (A) The Supplier carries on the business of collection agency in the Province of Alberta.
- (B) The Supplier and its collectors require licensing to operate in Alberta.
- (C) The Supplier acknowledges that its collector, contacted debtor, Capital Credit & Consulting Co. between June 5 to 17, 2002, to collect on an outstanding debt. Mr. [redacted] was not licensed in Alberta to collect at that time, although he believed that he was licenced at the time to collect in the province of Alberta. He was unaware that his licence application got lost in the mail.
- (D) The Supplier acknowledges that its collector, Mr. [redacted] attempted to collect a debt from Capital Credit & Consulting Co. The debt was owed by another collection agency, Speedy Recovery and this agency had ceased operations. Capital Credit & Consulting Co. purchased some debtor accounts from Speedy Recovery, but assumed none of its liabilities. Mr. [redacted] was advised by Capital Credit & Consulting Co. that it had no obligation to pay the debt and had simply purchased some accounts. Despite this, Mr. [redacted] continued to call Capital Credit & Consulting Co. The Supplier acknowledges that Capital Credit & Consulting Co. had no obligation to pay for the debts of Speedy Recovery.

- (E) The Director asserts that he has reason to believe that the acts or practices of the Supplier described in recitals (C) and (D) herein constitutes breaches of the Fair Trading Act.

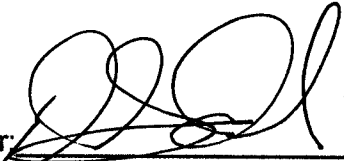
NOW THEREFORE THIS UNDERTAKING WITNESSES THAT:

- 1) The Supplier acknowledges that the current information before the Provincial Court of Alberta will not proceed and that all matters of concern shall be dealt with by way of this Undertaking and agreement with the Director.
- 2) The Supplier acknowledges and admits that it has failed to comply with the Fair Trading Act and undertakes to the Director that he will not knowingly nor intentionally, at any time hereafter the date of execution of the present Undertaking, engage in acts or practices that would be in breach of the Fair Trading Act.
- 3) The Supplier will ensure that all employees, representatives and agents are forthwith acquainted with the requirements of the Fair Trading Act, especially as it pertains to Part 11, Collection Practices.
- 4) It is understood that the Supplier
 - I. Will ensure all C.G.C Collection Group of Canada Inc. collectors who may contact Albertans are licensed with Alberta Government Services.
 - II. Will implement steps to ensure that collectors are collecting or attempting to collect money for a creditor do so only on a good faith belief that the money is owing by the debtor to the creditor.
 - III. Will ensure cooperation with department investigators by supplying written statements from its collectors when requested.
 - IV. Will ensure that all collectors mark their note lines with either a name or initial that clearly identifies the collector making the call.
- 5) The Supplier will pay to the Director, for deposit with the Finance Minister of Alberta, the sum of \$500 which represents a portion of the costs associated with investigating this matter. Such payment shall be made within 10 days of the signing of this Undertaking.

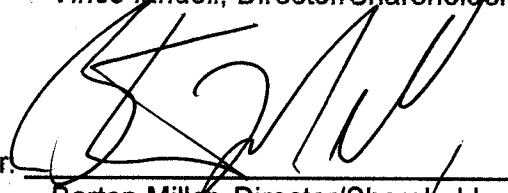
- 6) This Undertaking will be binding upon the Supplier and its successors and assigns unless;
- a) terminated by the Director or varied with the consent of the Supplier;
 - b) varied by an Order of the Judge of the Court of Queen's Bench where the Judge is satisfied that the circumstances warrant varying the provisions of the Undertaking;
 - c) terminated by an Order of a 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 the termination or variance.
- 7) The Supplier acknowledges that the Director may, upon breach by the Supplier of any terms of the Undertaking, institute proceedings and take such action under the Fair Trading Act as he may consider necessary.

IN WITNESS WHEREOF the Supplier, has on the / 31 day of **October**, 2002, caused its common seal to be hereunto affixed and attested by the signatures of its proper officers duly authorized in that behalf.

C.G.C. Collection Group of Canada Inc.

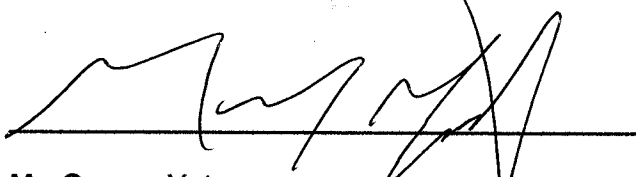
Per: 

Vince Iandoli, Director/Shareholder

Per: 

Barton Miller, Director/Shareholder

ACCEPTED by the Director of Fair Trading this 7th day of **October**, 2002



Mr. George Yates
Director of Fair Trading (As Delegated)
Province of Alberta