

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

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

BY: **COLLECTCENTS INC.**
151 Superior Blvd., Suite 15, Mississauga ON L5T 2L1
Registered Office, c/o Larry Carr, Attorney
900, 10020 – 101A Avenue
In the City of Edmonton, 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 collection agency authorized to conduct business in Alberta.
- (B) The Supplier and its collectors require licensing to operate in Alberta.
- (C) The Supplier acknowledges that Ms. _____ left telephone messages with _____, residents of Cochrane, Alberta, concerning an outstanding debt in the name of _____ and _____ in December 2002 and January 2003. Ms. _____ was not licensed in Alberta to collect at that time.
- (D) The Supplier acknowledges that Mr. _____ left a telephone message with _____ of Cochrane, Alberta, on January 31, 2003, in which he identified that he was calling from the legal department of Credit Bureau of Peel Collections. Mr. _____ received a return phone call from _____ on January 31, 2003, and referred the call to the manager, Mr. _____. Mr. _____ and Mr. _____ were not licensed in Alberta to collect at that time.
- (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 and admits that it has failed to comply with the *Fair Trading Act* and undertakes to the Director that he/she will not knowingly nor intentionally, at any time hereafter the date of execution of the present Undertaking, engage in acts or practices similar to those described in recitals (C) and (D) or any other acts or practices prohibited by the *Fair Trading Act*.
- 2) 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.
- 3) It is understood that the Supplier
 - I. Will ensure all Collectcents Inc. collectors who may contact Albertans are licensed with Alberta Government Services.
 - II. Will ensure all Collectcents Inc. collectors who may contact Albertans, are in compliance with Part 11 of the *Fair Trading Act* when doing so.
 - III. Will ensure that all collectors are aware that they must identify themselves using their complete name as shown on their collector's licence and the licensed name of the collection agency that employs them, as shown on their licence.
 - IV. Will ensure that all collectors are aware that they are not to identify themselves as calling from the legal department of Collectcents Inc.
- 4) The Supplier understands that the undertaking document will be shared with other administrative or enforcement agencies and that this document must be maintained as part of the public record of all Undertakings entered into under the *Fair Trading Act*.
- 5) The Supplier will pay to the Director, for deposit with the Finance Minister of Alberta, the sum of \$1200.00, which represents a portion of the costs associated with investigating this matter. Such payment will be made in 3 equal installments. The first payment will accompany the signed Undertaking and the remaining 2 will be made at monthly intervals. Payment in full is to be completed by November 10, 2003.

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ALBERTA GOVERNMENT SERVICES
CONSUMER SERVICES DIVISION

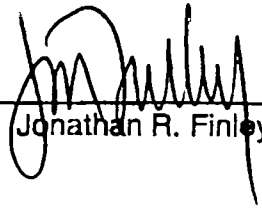
- 6) This Undertaking will be binding upon the Supplier and its successors and assigns unless;
 - a) terminated by the Director or varied with the consent of the Supplier;
 - b) varied by an Order of the Judge of the Court of Queen's Bench where the Judge is satisfied that the circumstances warrant varying 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.


- 8) The Supplier acknowledges that it was advised by Alberta Government Services, and is aware that it is entitled to seek independent professional advice regarding this Undertaking, and the Supplier acknowledges that it is entering this Undertaking voluntarily.

IN WITNESS WHEREOF the Supplier has on the 10th day of SEPTEMBER, 2003, caused its common seal to be hereunto affixed and attested by the signatures of its proper officers duly authorized in that behalf.

Collectcents Inc.

Per: 
Jonathan R. Finley, President

ACCEPTED by the Director of Fair Trading this 25th day of September, 2003


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