



May 20, 2011

Consumers warned about local contractors

Edmonton... The provincial government is warning homeowners about two contractors working in the Edmonton area. Nigel Ryder, operating as Nu Renovations Inc., and landscaper Marcie Horyn may be continuing to solicit business as unlicensed prepaid contractors even as they face charges under Alberta's consumer protection law.

"We have clear rules to protect consumers from unscrupulous contractors and we work hard to enforce those rules," said Heather Klimchuk, Minister of Service Alberta, responsible for consumer protection. "Before you hire a prepaid contractor, it's important to do some homework and make sure you're dealing with someone who is reputable and licensed to do business in Alberta."

Ryder was initially charged December 15, 2010, under the *Fair Trading Act* with two counts of operating without a prepaid contractor's licence following complaints in Edmonton and Sherwood Park. Consumers made significant advance payments for renovations, but allege the work was not completed and of poor quality.

In April, Service Alberta received two additional complaints against Ryder. In one case, he is alleged to have taken a \$13,000 deposit from a consumer in March 2010 to develop a basement, but did not complete the work. The victim obtained a civil judgment for \$14,555.15 but has been unable to collect. On April 27, Service Alberta laid three additional charges under the *Fair Trading Act* for operating without a prepaid contractor's licence, using a contract that does not meet provincially legislated requirements, and misrepresenting his ability to provide services, along with a Criminal Code charge of fraud over \$5,000.

On March 30, Horyn was charged under the Criminal Code with fraud under \$5,000 and 11 violations under the *Fair Trading Act* including four counts of operating without a prepaid contracting licence, two counts of failing to provide a refund, one count of misleading and deceiving a consumer, and four counts of using a contract not meeting provincial requirements.

Between August 2009 and September 2010, Horyn is alleged to have collected advance payments totalling \$63,901 from five Edmonton consumers for landscaping services. Little or no work was done on most of the jobs, and the victims allege no refunds were provided.

On April 20, Service Alberta laid three additional charges against Horyn under the *Fair Trading Act* for operating without a prepaid contracting licence, failing to provide a refund, and using a contract that does not meet provincial requirements. These charges follow a complaint from an Edmonton consumer in April 2010.

The *Fair Trading Act* requires that contractors who take money up front and solicit or negotiate a job away from their normal place of business must post security and obtain a prepaid contractor's licence. Contracts must contain information such as the name and phone number of the

contractor, an itemized list of goods and services, the completion date and a statement of the consumers' cancellation rights.

Consumers have the right to cancel a contract within 10 days of receiving a written copy of it, and have one year to cancel if the contract does not meet legislated requirements, the contractor is not licensed, or the work does not start within 30 days of the date specified in the contract. The contractor must provide a refund within 15 days of receiving a cancellation notice.

Consumers' rights and protections are detailed in the Home Renovations Tipsheet available at www.servicealberta.gov.ab.ca/ConsumerTipsheets.cfm. Consumers can confirm whether a prepaid contractor is licensed online at www.servicealberta.gov.ab.ca/183.cfm or by calling the Consumer Contact Centre at 1-877-427-4088 (toll-free in Alberta).

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