
COMPLIANCE ORDER

IN THE MATTER OF

THE BUSINESS PRACTICES & CONSUMER PROTECTION ACT, S.B.C. 2004 c. 2

Respondent: The Fahrenheit Yoga Studio Ltd. (dba BYSurrey)

Complainant: [privacy redaction]

Decision Maker: Jason McColl

Date of Order: October 13th, 2020

CONTRAVENTIONS

In a decision of the Director dated October 10th 2020, the following contravention of the *Business Practices and Consumer Protection Act* (the "BPCPA") was found to have been committed by the Respondent:

- i.* The Respondent failed to comply with section 25(6)(a)(ii) of the *Business Practices and Consumer Protection Act*.

REQUIREMENTS OF THE ORDER

Pursuant to section 155 of the BPCPA, the Respondent is ordered to:

1. Immediately refund the Complainant the amount of \$385.05 by way of certified cheque or bank draft within 15 days of the effective date of this Order.
2. Provide the Director a copy of the certified cheque or bank draft referenced in item 1 above, no later than 7 days after it is sent to the Complainant.
3. Reimburse the Director partial costs for the inspection in the amount of \$500.00 within 30 days of the effective date of the Order.

RECONSIDERATION (APPEAL)

Under section 181 of the BPCPA, the Respondent may apply for reconsideration of this Order within 30 days of receiving it. (The Director may extend time for the request if special circumstances exist.) The application must be in writing and identify the error the applicant believes has been made or other grounds for reconsideration.

The Director may vary or cancel an Order only if new evidence has become available that:

- is substantial, and material to the Order; and
- did not exist at the time of the original decision or did exist but could not have been discovered at that time through the exercise of reasonable diligence.

Payment of a \$252.00 application fee must be submitted with the request for reconsideration, which will be refunded if the reconsideration results in cancellation of the original determinations.

A decision on reconsideration is final and may only be judicially reviewed.

Information about the reconsideration process can be found at www.consumerprotectionbc.ca

A request for reconsideration must be addressed to:

Consumer Protection BC
Attn: Shahid Noorani, Vice President Regulatory Services
200 – 4946 Canada Way, Burnaby, BC V5G 4H7
shahid.noorani@consumerprotectionbc.ca

SUMMARY

The Respondent is required to comply with this Order and, if requested by this office, provide proof of compliance. Failure to comply with this Order may result in the imposition of an administrative penalty of up to \$5,000 on an individual and up to \$50,000 on a corporation.

This Order may be filed in British Columbia Supreme Court and once filed is deemed an Order of the Court and enforceable as such.



Jason McColl, Senior Inspector

October 13th, 2020

Date

Method of Service: Registered Mail