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## COMPLIANCE ORDER

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### IN THE MATTER OF

### ***THE BUSINESS PRACTICES & CONSUMER PROTECTION ACT, S.B.C. 2004 c. 2 and HOME INSPECTOR LICENSING REGULATION***

**Respondent:** Paul Friesen

**Adjudicator:** Shahid Noorani, Vice President

**Date of Order:** January 7, 2021

In accordance with notice requirements under section 155 of the *Business Practices and Consumer Protection Act* ("BPCPA"), the respondent has been found to have committed the following contraventions:

- 1. Failing to include the respondent's home inspection licence number in all representations and visual advertisement, contrary to section 6(3) of the Home Inspector Licensing Regulation**
- 2. Failing to ensure home inspection reports include the consumer's name and address, contrary to section 13(1)(e)(i) of the Home Inspector Licensing Regulation**
- 3. Failing to ensure home inspection reports include the licensee's home inspection licence number, contrary to section 13(1)(e)(iv) of the Home Inspector Licensing Regulation**

Pursuant to section 155(4) of the *BPCPA*, this Compliance Order requires that the respondent:

- 1. Complete a review of all representation and visual advertisements that relate to home inspection services provided by the respondent.**
- 2. For any representations or visual advertisements that relate to home inspection services provided by the respondent where the respondent's home inspector licence is not**

included, take measures necessary to include the licence number before January 31, 2021, unless an extension to this date is given by the Director.

3. Before February 15, 2021, provide Consumer Protection BC with a written listing of all representations or visual advertisements that relate to home inspection services provided by the respondent with written confirmation that the representations and visual advertisements include the respondent's licence number.
4. Annually, beginning with the review to be completed by January 31, 2021 referenced in paragraph 2 above, perform a review of all representations and visual advertisements that relate to home inspection services provided by the respondent AND to prepare and maintain written records of this review that must be made available on request by an inspector.
5. When providing the respondent's home inspection licence in reports, as required in part by section 13(1) of the Home Inspector Licensing Regulation, to prominently display the licence number in a font size no smaller than 14 on page 1 of the report.
6. To reimburse the Director partial costs of the inspection in the amount of \$200.00 (two hundred dollars).

### **RECONSIDERATION PROCESS**

Section 181 of the *BPCPA* provides, in part, that a person may request a reconsideration of a compliance order.

The request must be in writing and identify the error believed was made or other grounds.

Section 182 of the *BPCPA* provides that the Director may reconsider determinations and may confirm, vary or cancel a determination. A decision to vary or cancel a determination may only be made if the Director is satisfied that new evidence has become available or has been discovered that:

- is substantial and material to the determination, and
- did not exist at the time of the review or did exist at that time but was discovered and could not through the exercise of reasonable diligence have been discovered.

Pursuant to section 181(1) of the *BPCPA*, a person may request the Director to reconsider a determination within 30 days of receiving the order, or within a time period specified by the director if any special circumstances exist.

There is a \$252.00 (two hundred fifty-two dollar) reconsideration application fee which must be submitted with the request for reconsideration. The fee will be refunded to the applicant if the reconsideration results in the full reversal of the decision.

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

Information on the reconsideration process can be found at [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca)

A request for reconsideration should be addressed to:

Consumer Protection BC  
Attn: Director  
200 – 4946 Canada Way  
Burnaby, B.C. V5G 4H7

### **SUMMARY**

The respondent is required to comply with this Order made under the *BPCPA*, and, at the request of this office, provide proof of compliance with Order. If the respondent does not comply with this Order, the director may impose an administrative penalty of not more than \$5,000.00 on an individual and/or not more than \$50,000.00 on a corporation.

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



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**Shahid Noorani**  
**Vice President**

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January 11, 2021

Date

Method of Service: email