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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**  
**THE CREMATION, INTERMENT AND FUNERAL SERVICES REGULATION**

**Respondent:** Schrader Family Holdings Inc. dba Kamloops Funeral Home

**Adjudicator:** Sean Sisett, Director – Inspections & Case Management

**Date of Order:** May 2, 2022

In accordance with notice requirements under section 155 of the *Business Practices and Consumer Protection Act* (“BPCPA”) and section 56(2)(c) of the *Cremation, Interment and Funeral Services Act* (“CIFSA”), the Respondent has been found to have committed the following contraventions:

1. BPCPA s. 34(1)(b)(ii), when it failed to ensure that a funeral contract executed with a consumer contained the address of the deceased.
2. CIFSR s. 34(1)(b) when it failed to include the price for each container the Respondent was offering for sale in the written information maintained and made available to the public.
3. CIFSR s. 43(1)(e) when it failed to keep a record that included a copy of the written authorization required under section 8(1) of the CIFSA from the person who under section 5 of the CIFSA, had the right to control the disposition of human remains in the supply of funeral services performed by the Respondent.

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

1. Before May 15, 2022, the Respondent must develop a template form for use in digital or hand-written form [“Checklist” or “Log”] and submit the Checklist or Log for approval by

a Consumer Protection BC Inspector. The approved Checklist or Log is to record the following information related to each provision of funeral services by the Respondent:

- a. Confirmation the address of the deceased has been included in each funeral contract executed by the Respondent;
  - b. Confirmation the name and address of the person who gave the written authorization to perform funeral services for each deceased has been clearly recorded in each funeral contract executed by the Respondent;
  - c. Confirmation a record of the written permission to provide funeral services for each deceased was received from the person with the authority under the CIFSA who authorized the Respondent to provide funeral services;
  - d. Provide specific detail about the location at the Respondent's business where the record in item c. above is located
2. From May 15, 2022, forward and until such time as released from the terms of this Compliance Order, the Respondent must use the approved Checklist or Log referenced in item 1 of this Compliance Order for each event where the Respondent acts as a funeral provider under a funeral contract.
  3. The Respondent must populate information into each Checklist or Log within one week of the information to be populated into the Checklist or Log being known to the Respondent.
  4. The Respondent is to maintain the Checklist or Log referenced in item 1 of this Compliance Order at the location noted on the funeral provider licence issued to the Respondent.
  5. The Respondent is to immediately make each completed Checklist or Log available to a Consumer Protection BC inspector on demand by the inspector.
  6. By May 20, 2022, reimburse the Director **\$895.00** for partial inspection costs incurred under the inspection.

### **RECONSIDERATION PROCESS**

Section 181 of the BPCPA and section 60(1) of the CIFSA provide, 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 for the reconsideration.

Section 182 of the BPCPA and section 60(2) of the CIFSA provide that the Director may reconsider determinations and may 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 made under the BPCPA or CIFSA within 30 days of receiving the order, or within a time period specified by the director if any special circumstances exist.

There is a \$262.00 (two hundred sixty-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)  
Any request for reconsideration should be addressed to:

Shahid Noorani,  
Vice President, 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 CIFSA, 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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**Sean Sisett**  
**Director, Inspections & Case Management**

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May 2, 2022

Date

Method of Service: email & Registered Mail