



COMPLIANCE ORDER

IN THE MATTER OF

***THE BUSINESS PRACTICES AND CONSUMER PROTECTION ACT and
THE CREMATION INTERMENT AND FUNERAL SERVICES ACT and THE CREMATION
INTERMENT AND FUNERAL SERVICES REGULATION***

Respondent: Jessica Barton (nee Higgins)

Date of Order: March 15, 2023

Adjudicator: Laura Casey

This Compliance Order is issued in accordance with notice requirements under section 56(2)(c) of the *Cremation Interment and Funeral Services Act* and section 155 of the *Business Practices and Consumer Protection Act* ("BPCPA").

The Respondent has been found to have committed the following contraventions:

- i. A contravention to section sec. 38(1)(b) of the *Cremation Interment Funeral Services Regulation*, by failing to complete the minimum required 6 hours of training in a program of embalming services approved by the Director during the past two-year successive period.

Pursuant to section 56(2)(c) of the *Cremation Interment and Funeral Services Act* and section 155 of the *Business Practices and Consumer Protection Act*, this Compliance Order requires that the Respondent:

1. The course taken by the respondent on January 6, 2023 (totalling 3 embalmer credits) be applied (in its entirety) to the 2020-2022 period to satisfy the requirements for that period.
 2. Before April 15, 2023, make payment to Consumer Protection BC in the amount of \$150.00 as partial reimbursement for inspection costs.
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3. Except with the express prior written permission of the Director, any failure to provide information or payment by the dates listed in this Order is a breach of the terms of the Order.

RECONSIDERATION PROCESS

Pursuant to section 60 of the *Cremation Interment and Funeral Services Act* and section 181(1) of the BPCPA, a person may request the Director to reconsider a Compliance Order within 30 days of receiving the order, or within a time period specified by the director if any special circumstances exist.

Consumer Protection BC will only allow a reconsideration of an administrative penalty where the person(s) can demonstrate that new evidence has become available or been discovered that is (a) substantial and material to the determination, and (b) did not exist at the time of the review or did exist at that time but was not discovered and could not through the exercise of reasonable diligence have been discovered. The reconsideration request must be in writing and must be accompanied by the \$272.00 (two hundred and seventy-two dollars) reconsideration application fee.

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

Information on the reconsideration process can be found at 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. 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.

Lauren Casey

Name

Vice President

Method of Service: Email

March 15, 2023

Date
