



**CONSUMER
PROTECTION BC**

COMPLIANCE ORDER

IN THE MATTER OF

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

Respondent: Efficiency Solutions Comfort Services Inc.

Date of Order: May 18, 2023

Adjudicator: Sean Hern, K.C., Delegate of the Director

This Compliance Order is issued 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 contravention:

A contravention to section 189(5)(b) of the BPCPA when it failed to produce records required for the purposes of an inspection being conducted by Consumer Protection BC into the Respondent's compliance with provisions relating to direct sales contracts.

Pursuant to section 155 of the BPCPA, this Compliance Order requires the Respondent to do the following:

1. The Respondent is ordered to forthwith comply with the Inspection Demand made under section 150 of the BPCPA on October 6, 2022, namely to provide seven of the Respondent's most recent direct sales contracts financed by CHICC (or any other finance company that underwrites lease contracts) and seven of the Respondent's most recent direct sales contracts financed through a loan. In the latter case, the Respondent is to provide a copy of both the direct sales contract and the loan document.
 2. The records to be provided under item 1 of this Order are to be delivered via electronic mail to Inspector Eileen Diersch at eileen.diersch@consumerprotectionbc.ca.
 3. The Respondent is ordered to reimburse Consumer Protection BC costs of the inspection in the amount of \$1,500.00. This reimbursement must be made no later than June 17, 2023.
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RECONSIDERATION PROCESS

Pursuant to 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 a Compliance Order 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 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.



Sean Hern, K.C.
Delegate of the Director

May 18, 2023

Date

Method of Service: Email
