



**CONSUMER
PROTECTION BC**

NOTICE OF ADMINISTRATIVE MONETARY PENALTY

IN THE MATTER OF

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

Respondent: Efficiency Solutions Comfort Services Inc.
Case Number: 31524
Adjudicator: Sean Hern, K.C., Delegate of the Director
Date of Order: April 3, 2024

REQUIREMENTS OF THE ADMINISTRATIVE MONETARY PENALTY

Pursuant to section 166(1) of the *Business Practices and Consumer Protection Act* (“BPCPA”), I hereby serve notice of an administrative monetary penalty in the following amount on the Respondent:

For contraventions of section 19(j) of the *Business Practices and Consumer Protection Act* (“BPCPA”) when the Respondent failed to disclose the total price of the contract on three direct sales contracts entered into on March 24, 2023, April 14, 2023 and May 18, 2023, an administrative penalty of \$4,500.00 (four thousand, five hundred dollars).

PAYMENT OF THE ADMINISTRATIVE MONETARY PENALTY

The administrative monetary penalty must be paid no later than 30 days from the date on which this notice is received or, if the person requests a reconsideration, within 30 days after the date on which the decision of the Director respecting the reconsideration is served, pursuant to section 167 of the BPCPA.

If the person(s) named above fails to pay an administrative monetary penalty as required under the BPCPA, Consumer Protection BC will file a certified copy of this notice imposing the administrative monetary penalty with the Supreme Court and initiate proceedings to recover the penalty as if it were a judgment of the court.

The *Business Practices and Consumer Protection Regulations* and the *Administrative Penalties Regulations* require that Consumer Protection BC add an additional 10% to the amount of the penalty prior to filing with a court.

RECONSIDERATION OF THE ADMINISTRATIVE MONETARY PENALTY

The person(s) named above may request a reconsideration of a notice imposing an administrative monetary penalty under section 181 of the BPCPA.

The reconsideration request must be in writing, must identify the error believed was made or other grounds for reconsideration, must be submitted within 30 days of receipt of this Notice, and must be accompanied by the \$283.00 (two hundred eighty three) reconsideration application fee.

Consumer Protection BC will only allow a reconsideration of an administrative monetary 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 decision made with respect to the reconsideration is final and may not be reconsidered. Information on the reconsideration process can be found at www.consumerprotectionbc.ca

All correspondence, including any request for reconsideration, should be addressed to:

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



Sean Hern, K.C.
Delegate of the Director

April 3, 2024

Date

Method of Service: Email
