

---

## NOTICE OF ADMINISTRATIVE PENALTY

---

### IN THE MATTER OF

***THE BUSINESS PRACTICES & CONSUMER PROTECTION ACT [SBC 2004] c.2***

**Respondent:           Simply Green Home Services (BC) Inc.**

**Adjudicator:          Robert Penkala**

**Date of Penalty:     June 15, 2020**

***On June 22, 2020, a clerical error was corrected as to the date of decision stated below. In all respects other than the correction and notice of it, this Notice is unvaried.***

### **CONTRAVENTION AND PENALTY**

Pursuant to section 166 (1) of the *Business Practices and Consumer Protection Act* and a decision of the director dated June 9, 2020, notice is hereby given to the respondent that an administrative monetary penalty of **\$8,000** is imposed for a contravention of section 27 of the Act, namely:

*failing to provide a refund of all money received from a consumer within 15 days after receiving valid notice of contract cancellation given by the consumer under Part 4 of the Act.*

### **RECONSIDERATION (APPEAL)**

Under section 181 of the Act, the respondent may apply for reconsideration of this Notice within 30 days of receiving it (the director may extend time if special circumstances exist). The application must be in writing and identify the error the applicant believes has been made or other grounds for reconsideration.

The director may vary or cancel a penalty only if new evidence has become available, that:

- is substantial, and material to the penalty; and,
- did not exist at the time of the original decision or did exist but could not have been discovered at that time through the exercise of reasonable diligence.

Payment of a **\$252 application fee** must be submitted with the request for reconsideration, which will be refunded if the reconsideration results in cancellation of the original determination.

A decision on reconsideration is final and may only be judicially reviewed. Information about the reconsideration process can be found at [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca)

A request for reconsideration must be addressed to:

Consumer Protection BC  
Attn: Shahid Noorani, Vice President Regulatory Services  
200 – 4946 Canada Way, Burnaby, BC V5G 4H7  
[shahid.noorani@consumerprotectionbc.ca](mailto:shahid.noorani@consumerprotectionbc.ca)

**PAYMENT OF THE ADMINISTRATIVE PENALTY**

Pursuant to section 167 of the Act, this penalty in the total amount of **\$8,000 must be paid by no later than 30 days from the date on which this Notice is served** or, if the respondent requests reconsideration, within 30 days after the date on which an adverse decision of the director respecting the reconsideration is served. **If the respondent fails to pay the penalty**, Consumer Protection BC may file a certified copy of this Notice with the Supreme Court or Provincial Court and initiate proceedings to recover the penalty as if it were a judgment of the court.

Before filing the Notice in court, Consumer Protection BC must impose an **additional penalty** equal to 10% of the unpaid penalty.



Robert Penkala  
Manager, Enforcement Hearings

June 15, 2020

Date

Method of Service: email