
COMPLIANCE ORDER

IN THE MATTER OF
THE BUSINESS PRACTICES AND CONSUMER PROTECTION ACT [SBC 2004] c. 2

Respondent: Simply Green Home Services (BC) Inc.

Adjudicator: Robert Penkala

Date of Order: June 15, 2020

CONTRAVENTIONS

In a decision of the director dated June 9, 2020 the following contraventions of the *Business Practices and Consumer Protection Act* were found to have been committed by the respondent:

1. Violating the terms of a compliance order prohibiting specified deceptive acts in consumer transactions, contrary to section 189 (5)(c)(ii) of the Act.
2. Engaging in deceptive and misleading acts in consumer transactions, contrary to section 5 of the Act.
3. Failing to provide a refund demanded in relation to a valid statutory cancellation of a direct sales contract by a consumer within 15 days, contrary to section 27 of the Act.

REQUIREMENTS OF THE ORDER

The respondent is ordered to reimburse Consumer Protection BC the amount of **\$2,500** for inspection costs in the investigation of this matter, to be paid within 30 days of delivery of this order to the respondent.

RECONSIDERATION (APPEAL)

Under section 181 of the Act, the respondent may apply for reconsideration of this Order within 30 days of receiving it. The director may extend time for the request 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 an Order only if new evidence has become available, that:

- is substantial, and material to the Order; 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

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

SUMMARY

Failure to comply with this Order may result in the imposition of an administrative penalty of up to \$5,000 on an individual and up to \$50,000 on a corporation.

This Order may be filed in British Columbia Supreme Court and once filed is deemed an Order of the Court and enforceable as such.



Robert Penkala, Mgr., Enforcement Hearings

June 15, 2020

Date

Method of Service: by email