

**IN THE MATTER OF
THE FAIR TRADING ACT**

THIS UNDERTAKING is made pursuant to section 152 of the Fair Trading Act.

BY: **COLLECT COM CREDIT INC.**
4155 Sheppard Ave. East, Toronto, Ontario M1S 1T4
Registered Office, 900, 521 – 3 Avenue S.W.
In the City of Calgary, in the Province of Alberta

(hereinafter called the “Supplier”)

TO: The **DIRECTOR OF FAIR TRADING**

(hereinafter called the “Director”)

WHEREAS:

- (A) The Supplier is a licensed collection agency authorized to conduct business in Alberta.
- (B) The Supplier and its collectors require licensing to operate in Alberta.
- (C) The Supplier acknowledges that its collector, _____, contacted _____, a resident of Calgary, between October 8, 2002 and October 24, 2002, to collect an outstanding debt. Mr. _____ was not licensed in Alberta to collect at that time.
- (D) The Supplier acknowledges that its collector, Ms. _____ also known as a skip tracer, contacted an Alberta resident on October 2, 2002, in an attempt to locate the debtor, _____ Ms. _____ was not licensed in Alberta to collect at this time.
- (E) The Supplier acknowledges that its collector, _____ contacted Mr. _____, a neighbour of the debtor, _____ who delivered a message to her to contact Mr. _____. It is acknowledged that Mr. _____ recorded in his note lines that he called the neighbour only to confirm the address. However, Mr. _____ had already obtained _____ address and telephone number.

- (F) The Director asserts that he has reason to believe that the acts or practices of the Supplier described in recitals (C), (D) and (E) herein constitutes breaches of the Fair Trading Act.

NOW THEREFORE THIS UNDERTAKING WITNESSES THAT:

- 1) The Supplier acknowledges and admits that it has failed to comply with the Fair Trading Act and undertakes to the Director that he/she will not knowingly nor intentionally, at any time hereafter the date of execution of the present Undertaking, engage in acts or practices similar to those described in recitals (C), (D) and (E).
- 2) The Supplier will ensure that all employees, representatives and agents are forthwith acquainted with the requirements of the Fair Trading Act, especially as it pertains to Part 11, Collection Practices.
- 3) It is understood that the Supplier
 - I. Will ensure all Collect Com Credit Inc. collectors and skip tracers who may contact Albertans, are in compliance with Part 11 of the Fair Trading Act when doing so.
 - II. Will implement steps to ensure that collectors and skip tracers are fully aware of their obligations and limitations under Part 11 of the Fair Trading Act when collecting debts on behalf of Collect Com Credit Inc. in Alberta.
 - III. Will ensure that all collectors and skip tracers are aware that they can only contact a debtor's neighbours, friends, relatives, or spouse for the purpose of obtaining the debtor's address or telephone number.
- 4) The Supplier will pay to the Director, for deposit with the Finance Minister of Alberta, the sum of \$1000, which represents a portion of the costs associated with investigating this matter. Such payment shall be made within 10 days of the signing of this Undertaking.

- 5) This Undertaking will be binding upon the Supplier and its successors and assigns unless;
- a) terminated by the Director or varied with the consent of the Supplier;
 - b) varied by an Order of the Judge of the Court of Queen's Bench where the Judge is satisfied that the circumstances warrant varying the provisions of the Undertaking;
 - c) terminated by an Order of a Judge of the Court of Queen's Bench where the Judge is satisfied that the act or practice that the Supplier has undertaken to refrain from engaging in was not unfair; however, in any such case, the termination or variance does not invalidate anything done under this Undertaking prior to the termination or variance.
- 6) The Supplier acknowledges that the Director may, upon breach by the Supplier of any terms of the Undertaking, institute proceedings and take such action under the Fair Trading Act as he may consider necessary.

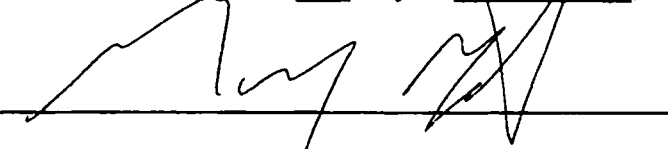
IN WITNESS WHEREOF the Supplier, has on the 9th day of December, 2002, caused its common seal to be hereunto affixed and attested by the signatures of its proper officers duly authorized in that behalf.

Collect Com Credit Inc.

Per: 
Naresh Jain, Director/Shareholder

Per: 
Manju Jain, Director/Shareholder

ACCEPTED by the Director of Fair Trading this 11 day of December, 2002



Mr. George Yates
Director of Fair Trading (As Delegated)
Province of Alberta