

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

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

BY:

Jayson GAZLOFF
17809 103 Street,
in the City of Edmonton, in the Province of Alberta,

(hereinafter called the "**Supplier**")

TO:

The **DIRECTOR OF FAIR TRADING**,

(hereinafter called the "**Director**")

WHEREAS:

(A) The Supplier formerly carried on the business of selling electronics and home entertainment equipment for International Stereo in the City of Edmonton, Alberta.

(B) On or about November 21, 2000, the Supplier, in the ordinary course of his business, did commit an unfair practice against

- Did enter into a consumer transaction with _____ by offering a stereo system with payments of \$54 per month over a 12 month term when in fact, the actual payments were \$74 over a 36 month term thereby misleading and deceiving the consumer.

(C) On or about January 15, 2001, the Supplier, in the ordinary course of his business, did commit an unfair practice against

- Did enter into a \$5,500 consumer transaction with _____ by offering a financial credit or financing for helping the supplier to find other potential customers by handing out business cards when such a benefit was not available.

(D) The Director asserts that he has reason to believe that the acts or practices of the Supplier described in recitals (B) and (C) constitute breaches of the Fair Trading Act.

(E) The Director acknowledges that the Supplier has informed the Department that he understands the issues and circumstances surrounding this Undertaking and will forthwith ensure future compliance with the Section 6 provisions of the Fair Trading Act.

NOW THEREFORE THIS UNDERTAKING WITNESSES THAT:

1. The Supplier acknowledges and admits that he has failed to comply with the trade practice provisions of the Fair Trading Act and undertakes to the Director that he will not, at any time hereafter, engage in acts or practices similar to those described in recitals (B) and (C) or Section 6 of the Fair Trading Act.

2. The Supplier will, to the best of its ability, ensure that he is forthwith acquainted with the requirements of the Fair Trading Act especially as it pertains to Part 2 – Unfair and Negative Option Practices.
3. The Supplier will pay to the Director for deposit to the Provincial Treasurer of Alberta, the sum of \$500; an amount that represents a portion of the costs associated with investigating this matter. Such payment is to be made within 10 days from the date of this Undertaking.
4. This Undertaking will be binding upon the Supplier 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
 - c. terminated by an Order of a Judge of the Court of Undertaking; or 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 termination or variance.
5. The Supplier acknowledges that the Director may, upon breach by the Supplier of any term of the Undertaking, institute such proceedings and take such action under the Fair Trading Act as he may consider necessary.

IN WITNESS WHEREOF the Supplier, has on the 11 day of January, 2002 caused its common seal to be hereunto affixed and attested by the signatures of its proper officers duly authorized in that behalf.

Mr. Jayson GAZLOFF

PER:

Jayson Gazloff
Jayson Gazloff

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

Neil A. Lee

DIRECTOR OF FAIR TRADING