

IN THE MATTER OF AN APPEAL PURSUANT TO
SECTION 179 (1) OF THE *CONSUMER PROTECTION*
ACT, RSA 2000, c. F-2

AND IN THE MATTER OF THE DECISION BY
THE DIRECTOR OF FAIR TRADING ON
APRIL 7, 2020 TO CANCEL THE LICENCE
AND SALESPERSON REGISTRATION

Between:

Esaum Omar and Eloquent
Automotive Group Ltd. Appellants
("Eloquent")

-and-

Alberta Motor Vehicle Industry Respondent
Council
("AMVIC")

Appeal Board: L. Redmond, Panel Chair
B. Meltzer Toren, Panel Member
J. Selby, Panel Member

Counsel for the Appellants: J. Killam

Counsel for the Respondent: P. Hale

CONSENT DECISION

WHEREAS Mr. Esaum Omar and Eloquent admit to failing to keep records as required under section 132 of the *Consumer Protection Act*, failing to provide documents on the request of AMVIC in accordance with section 132 of the *Consumer Protection Act*, and selling motor vehicles as a registered salesperson for an AMVIC licensee without being a designated salesperson for that licensee;

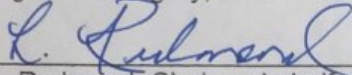
AND WHEREAS Mr. Omar and Eloquent have now complied with AMVIC's record request and signed an undertaking to address record keeping deficiencies, respond to AMVIC communications and record requests promptly, and to be subject to an inspection within 12 months as well as additional undertakings;

AND WHEREAS Mr. Omar has now successfully completed the AMVIC Salesperson Registration course;

AND WHEREAS Mr. Omar and Eloquent acknowledge that but for the extraordinary economic circumstances arising from the pandemic and from Mr. Omar's personal circumstances, both a suspension and a monetary penalty would otherwise be imposed;

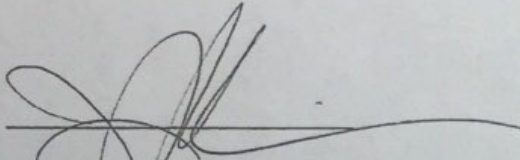
THE PARTIES AGREE THAT Eloquent's business licence cancellation and Mr. Omar's salesperson registration cancellation should be modified to a 5 month suspension ending on the date of this Consent Decision.

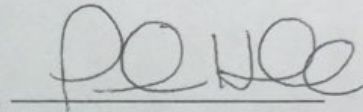
Signed at Calgary, Alberta on September 30, 2020.



L. Redmond, Chair on behalf of the Panel

Consented to by:



J. Killam
Counsel for Eloquent and Esaum Omar

P. Hale
Counsel for AMVIC