

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

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

BY:

Jason C. Whitty
CBV Collection Services Ltd.
800 5 Avenue SW Suite 1100
Calgary, Alberta
T2P 3T6

(hereinafter called the "Supplier")

TO:

The Director of Fair Trading

(hereinafter called the "Director")

WHEREAS:

- (A) The Supplier is a licensed Collector (#308838) who is authorized to conduct collection activity in Alberta and is currently employed by CBV Collection Services Ltd.
- (B) The Supplier has informed the Director that he understands the issues and circumstances surrounding the Undertaking and admits he is aware of the prohibited practices under section 12 of the *Collection and Debt Repayment Practices Regulation*.
- (C) The Supplier acknowledges that, in the ordinary course of collection activities, while employed as a collector by CBV Collection Services Ltd., he did contact _____ unsolicited more than three times in seven consecutive days.
- (D) The Supplier acknowledges that, in the ordinary course of collection activities, while employed as a collector by CBV Collection Services Ltd., he did place phone calls to _____ at her place of employment after

the debtor requested that the Supplier not contact her there, having not established reasonable arrangements with the debtor for other contact.

- (E) The Director asserts that he has reason to believe that the acts or practices of the Supplier as described in recitals C and D hereof constitute breaches of the *Collection and Debt Repayment Practices Regulation*.

NOW THEREFORE THIS UNDERTAKING WITNESSES THAT:

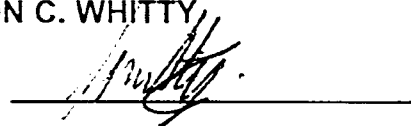
1. The Supplier acknowledges and admits that he has failed to comply with the provisions of the *Collection and Debt Repayment Practices Regulation* and undertakes to the Director that the supplier will not, at any time hereafter, engage in acts or practices similar to those described in recitals C and D contrary to section 12 (1)(o) and (v).
2. The Supplier will ensure that when contacting Albertans, he will not do so more than three unsolicited times in any seven day period.
3. The Supplier will ensure that when contacting Albertans, he will not continue to call places of employment if the debtor has requested that the collector or collection agency to no longer contact them there and has made and kept reasonable arrangements to discuss the debt with the Supplier or the collection agency.
5. The Supplier will forthwith ensure compliance with the *Collection and Debt Repayment Practices Regulation*, particularly section 12.
6. It is understood that the Supplier has taken steps to ensure that he acts in a professional manner at all times when contacting Albertans.
7. 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 Undertaking; or
 - (c) Terminated by an Order of the 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 termination or variation.

- 8. 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.
- 9. The Supplier will pay to the Minister of Finance of Alberta the sum of \$300; an amount that represents a portion of the costs associated with investigating this matter. Such payment is to be made within 15 days from the date of this Undertaking.
- 10. The Supplier acknowledges that he was advised by Alberta Government Services, and is aware that he is entitled to seek independent professional advice regarding the signing of this Undertaking, and the Supplier acknowledges that he is entering into this Undertaking voluntarily.

IN WITNESS WHEREOF the Supplier, has on the 19 day of January, 2007 signed this document.

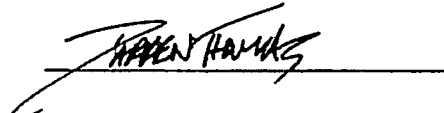
JASON C. WHITTY

Per: _____



Jason C. Whitty

ACCEPTED by the Director of Fair Trading this 22 day of January, 2007.



DIRECTOR OF FAIR TRADING