

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

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

**BY:**

**Platinum-Care.com Corporation**  
Suite 205 -206 7<sup>th</sup> Avenue SW  
in the City of Calgary, in the Province of Alberta,

and

**Leahnette Acuna, Director**  
**Rossana Lim, Director**

in the City of Calgary, in the Province of Alberta

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

**TO:**

The **DIRECTOR OF FAIR TRADING,**

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

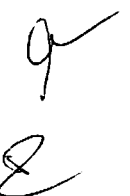
**WHEREAS:**

- (A) On August 20, 2007, the Supplier became licensed as an employment agency and was authorized to conduct business in Alberta.
- (B) On August 20, 2007, Platinum-Care.com Corporation were sent a letter providing to them the licensing requirements and making them aware of the offence provisions under the Fair Trading Act for collecting fees from a person seeking employment.
- (C) The Supplier entered into agreements with employers in Alberta for the purpose of recruiting potential candidates for employment in the Province of Alberta.
- (D) In the years 2008, 2009 and 2010, individuals seeking employment entered into agreements with Platinumcare.com Corporation for the purposes of securing employment in Alberta. These individuals were charged fees for services provided by Platinum-Care.com Corporation.
- (E) The Director asserts that after charges were filed for breaches of Section 9(1)(a) contrary to the Employment Agency Business Licensing Regulation A/R 189/99, Platinum-Care.com Corporation continued to engage in employment agency activities and further breaches of the Employment Agency Business Licensing Regulation occurred.
- (F) The Director asserts that he has reason to believe that the acts or practices of the Supplier described in recitals (B), (D) and (E) constitute breaches of the Fair Trading Act.



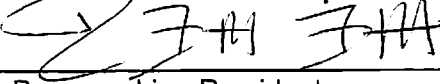
**NOW THEREFORE THIS UNDERTAKING WITNESSES THAT:**

1. The Supplier acknowledges that it did receive payments from a number of individuals. These payments have been confirmed by the Supplier and by the Director and agreed upon individuals and amounts are set out in Appendix A "2".
2. The Supplier acknowledges and admits that it, through its agents, employees, or representatives, has failed to comply with the Fair Trading Act and undertakes to the Director that it will not, at any time hereafter, engage in acts or practices similar to those described in recitals (B), (D), (E).
3. The Supplier will cease taking fees, rewards or other compensation either directly or indirectly from any person who is seeking employment or information respecting employers seeking employees; or from any person for securing or endeavoring to secure employment for the person, or for providing the person with information respecting any employer seeking an employee.
4. The Supplier has agreed to reimburse the individuals identified in Appendix A "2" for the acknowledged fees. The total reimbursement amounts to \$5,200.00. These monies will be paid to the Minister of Finance within 45 days of the date 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 termination or variance.
6. 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.
7. The Supplier acknowledges that this Undertaking is a public document and will be maintained in the public record by the Director of Fair Trading as required by s. 157.1 of the *Fair Trading Act*.
8. The Supplier acknowledges that it was advised by Service Alberta, and is aware that it is entitled to seek independent professional advice regarding the signing of this Undertaking, and the Supplier acknowledges that it is entering into this Undertaking voluntarily.

Handwritten signature in black ink, consisting of a stylized 'g' above a horizontal line that curves to the right.

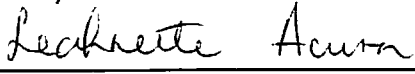
IN WITNESS WHEREOF the Supplier has on this 26<sup>th</sup> day of January, 2011 agreed to the terms of this Undertaking.

**Platinumcare.com Corporation**

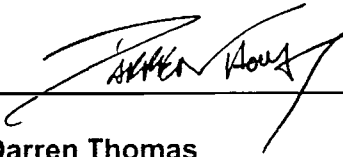
Per:   
Rossana Lim, President

And

**(Director)**

  
Leahnette Acuna

ACCEPTED by the Director of Fair Trading this 9<sup>th</sup> day of February, 2011.

  
Darren Thomas  
DIRECTOR OF FAIR TRADING (as delegated)  
Province of Alberta

