

Consumer Protection Act, 2002

Most consumer transactions in Ontario fall under the *Consumer Protection Act, 2002 (CPA)* which is administered by the Ontario Ministry of Consumer Services (Ministry).

The CPA is available online in both [English](#) and [French \(Français\)](#).

If you have a question about your consumer rights you can contact the Ministry's Consumer Protection Office by phone (416-326-8800 or 1-800-889-9768; TTY: 416-229-6086 or 1-877-666-6545), email (consumer@ontario.ca), or through the online [feedback form](#).

For other questions you can contact the Ministry by phone (416-327-8300 or 1-877-665-0662; TTY: 416-229-6086 or 1-877-666-6545), email (infomcs@ontario.ca), or through the online [feedback form](#).

General Consumer Rights

- If you make a purchase or sign a contract in your home that is worth \$50 or more, you have a 10-day cooling off period during which you can cancel and have your money returned in a timely manner (within 15 days of the cancellation).
- If you receive goods that you did not ask for, you are not responsible for them.
- If you are sent a credit card that you did not apply for, you are not responsible for it unless you make a purchase with it.
- If you prepay \$50 or more for a good or service, there must be a written contract.
- You have the right to seek help through the Ontario Ministry of Consumer Services even if your contract includes a clause that requires disputes to be settled through private arbitration.
- If you have paid at least two-thirds of the cost of an item, it cannot be repossessed without a court order.
- Contracts should be written in a language that is easy to understand. If language is vague it will be interpreted in favour of the consumer.

Please see the [Ontario Ministry of Consumer Services' website](#) and the [Consumer Protection Act, 2002](#) for more information about your rights as a consumer.

Top Consumer Complaints

The [Ontario Ministry of Consumer Services' website](#) provides specific information about your rights relating to many common topics. The website also provides [videos](#) and [information brochures](#) on various topics.

The following are the most common consumer complaints and some key things to keep in mind about them (each title is a hyperlink to the Ontario Ministry of Consumer Services' website where you can find out more about each topic):

[Collection Agencies](#)

- The collection agency must first mail you a written notice which outlines the name of the person/business to which you owe money (the creditor), the amount the creditor claims you owe, and the name of the collection agency and its authority to demand payment on behalf of the creditor.

- After sending a written notice the collection agency must wait six days before contacting you by phone or in person.
- There are specific restrictions about how frequently a collection agency can contact you and whether they can contact your employer, spouse, neighbours, or members of your family and/or household. For a description please see the [Ontario Ministry of Consumer Services' website](#).
- You should not make cash payments to a collection agency. Make sure to get a receipt acknowledging your payment.
- You should NOT contact the original creditor once your debt has been turned over to a collection agency unless there is a mistake with your account. If there is a mistake you should notify both the original creditor and the collection agency.
- If you are facing financial difficulty you may want to consult with a credit counsellor. There may be a fee associated with this service. The [Ontario Association of Credit Counselling Services](#) can provide you with more information about credit counselling as well as a list of member agencies in your area.

[Hot Water Heater Rentals](#)

- Hot water heater rental agreements are normally a door-to-door agreement, meaning the salesperson will come to your door.
- Ask the salesperson for their name and ID as well as the name of the company they represent.
- Keep a copy of any written materials the salesperson shows you.
- Ask about rental fees, installation, repairs, extra service charges and warranties. Get all of these details in writing.
- Do NOT give into pressure tactics and sign a contract on the spot. Take some time to look over the details and think about it.
- If you do sign a contract make sure you get a copy for your records.
- When buying a home make sure you know if you will have to take over an existing hot water heater rental agreement.

[Home renovations and repairs](#)

- Ask contractors for references before you decide to hire them
- Unless you have approved a change order, the final cost of the goods and/or services CANNOT be more than 10% over the original estimate.
- A contractor CANNOT hold onto your items in order to renegotiate a higher price.
- Do NOT rely on claims from your contractor that your project qualifies for government grants or subsidies. You should research this for yourself before you sign a contract.
- Make sure your contract includes at least the following:
 - Start date
 - Date of completion
 - Total cost
 - Type and amount of work to be done
 - Any additional items/services not covered by a standard contract
- Read the fine print:
 - Are subtrades (plumbers, electricians) covered by the contract?
 - Are there any warranties or guarantees? (these are only useful while the contractor remains in business so make sure your contractor has a long history and is likely to be around in the future)
 - Does the contract say who is responsible for getting any necessary permits? (if it does not specify that your contractor is responsible then you will have to get them)

- Who is responsible for cleaning up after the work is finished?
- Make sure you see all the required permits before work starts
- The Canada Mortgage and Housing Company provides tips on [hiring a contractor](#) and a [sample renovation contract](#) on its website.
- The Canadian Home Builders` Association also has a useful website, [Get It in Writing!](#)

Motor vehicle purchases

- You have rights under the *Motor Vehicle Dealers Act, 2002 (MVDA)* which is available online in [English](#) and [French \(Français\)](#).
- The *MVDA* is enforced by the [Ontario Motor Vehicle Industry Council](#) (OMVIC). The OMVIC's website has many resources on things to consider before buying a vehicle.
- It is best to buy a vehicle through a registered dealer/salesperson. You should not buy a vehicle through a private arrangement. The *MVDA* is only applicable to registered motor vehicle dealers and salespeople. You can search on the [OMVIC's website](#) to find out whether a dealer or salesperson is registered.
- Complaints should be filed with the OMVIC. You can file your complaint [online](#).
- Dealers must disclose a vehicle's true condition and history.
- The advertised price must be all-inclusive (except for taxes).
- Make sure you read and understand the details of your warranty.

Home furnishings

- Make sure a contract includes:
 - Description of the item
 - Price
 - Name and address of the buyer and seller
 - Delivery date(s)
 - Delivery charge
- If you buy the item in your home for \$50 or more, you have a 10-day cooling off period during which you can cancel the contract for any reason and get your money back
- Unless you have agreed otherwise, you have the right to cancel your contract if the other party has not performed its obligations within 30 days of the date stated in your contract. For example, if you order an item to be delivered on May 1st and it has not arrived on May 31st, you can cancel your contract.

Health and fitness clubs

- You are entitled to a 10-day cooling off period during which you can cancel the contract. The period starts on the later of (1) the day you receive a written copy of the agreement or (2) the day you are able to start using all the services included in the agreement. You can use the services of the club during this time. This cooling off period CANNOT be taken away from you by any clauses in your agreement.
- If you want to cancel an agreement, you must submit a written notice of cancellation to the club. You should make sure you have proof of delivery. Using registered mail is recommended. You can also hand deliver the notice but make sure you get a staff member to sign a delivery receipt which you should keep.
- Initiation fees CANNOT be more than twice the annual membership fee
- There must be an option to pay membership and initiation fees in monthly installments

- All contracts must end after one year and you must be provided with a renewal notice before the club can automatically renew your membership. If you receive but do not respond to a renewal notice, the club can renew your membership.
- Services must be of a reasonable acceptable quality

Appliances

- Do your research. Read reviews online or ask friends about where they bought their appliances and if they are satisfied.
- Buy from a store that you trust.
- Read and understand the store's return and guarantee policies before buying.
- Read and understand the warranty before buying.
 - Are there any conditions that make the warranty void?
 - What is covered?
 - How long will the warranty last?
 - What will the company do if there is something wrong? Repairs? Replacement?
- After you have bought an appliance keep the sales receipt, owner's manuals, and warranty documents
- If the appliance has not been delivered within 30 days of the delivery date specified in your contract, you can cancel. Cancel in writing and ensure that you keep proof of delivery of this cancellation letter.
- Repairs
 - Make sure you hire someone who is trustworthy. Consider checking the [Consumer Beware List](#) or asking for references.
 - The final cost CANNOT exceed 10% above the original estimated price.

Credit reporting

- You are protected from people unlawfully accessing your credit files under the *Consumer Reporting Act (CRA)* which is available online in [English](#) and [French \(Français\)](#). For more information about the *CRA* visit the [Ontario Ministry of Consumer Services' website](#).
- You can receive your credit file for free from either [Equifax Canada](#) or [TransUnion Canada](#).
- It is recommended that you request a copy of your credit file at least every two years. It is a good idea to request a copy from both Equifax Canada and TransUnion Canada as they may contain different information.
- If you receive a credit report and it contains something you do not think is accurate you should contact the credit bureau. [Equifax Canada](#) and [TransUnion Canada](#) each have their own method for you to submit a dispute about an item in your credit report so follow the appropriate hyperlink in this sentence.

Motor vehicle repairs

- Make sure the mechanic is trustworthy.
 - Ask your friends for referrals.
 - Ask to see the mechanic's licence.
 - Ask the mechanic for references.
 - Consider checking the [Consumer Beware List](#).
- [Part VI of the Consumer Protection Act, 2002 \(CPA\)](#) covers repairs to motor vehicles.
- The repairer must give you a written estimate unless you decline and authorize a maximum amount you are willing to pay.

- You have a right to the original parts when they are replaced.
- The shop must disclose if there is a cost for estimates.
- A written estimate must include:
 - Your name
 - Repairer's name, address, and contact information
 - Make, model, vehicle identification number, and licence number of the vehicle
 - Exact description of the repairs included in the estimate
 - Information about the parts that will be installed (including whether they will be new, used, or reconditioned and whether they will be from the original equipment manufacturer)
 - Prices of the parts to be installed
 - Number of hours that will be billed
 - How labour is calculated
 - Total charge for labour
 - Total cost
 - Date estimate was given
 - How long the estimate is valid for
 - Date the work will be completed
- The actual cost of repairs CANNOT exceed the original estimate by more than 10%.
- **Do NOT sign a blank work order.**
- Make sure you know the details of the warranty for the work done and any new parts. The CPA provides minimum requirements for warranties. See the [Ontario Ministry of Consumer Services' website](#) for more information.
- If you disagree with a repair bill and simply refuse to pay, the repairer may be able to keep your vehicle and sell it to cover the cost of the bill under the *Repair and Storage Liens Act* which is available online in [English](#) and [French \(Français\)](#). Therefore, this is not advisable.

Cell Phone Contracts

- Cell phone contracts can be extremely complex. It is important to carefully read and understand any contract before signing.
 - What is the length of the contract?
 - Can prices increase during the life of the contract? If yes, by how much?
 - How much will it cost to terminate the contract early?
 - Is there a trial period during which you can cancel the contract without penalty?
 - Are there any hidden fees?
 - Are repairs to the cell phone included?
 - If your phone is damaged will you get a "loaner" phone while yours is being repaired? Will you have to pay for this "loaner" phone?
 - What are the options for upgrading or replacing your cell phone?
- Make sure that you get a copy of your contract (you may have to get it online).
- You should be especially careful before entering into a multi-year contract. Think about the likelihood of your circumstances changing during that period. Will you still be able to afford the contract in three years? Will you still be living in an area covered by the contract in three years?
- [Industry Canada](#) has some useful information about types of contracts available and what to consider before choosing a cell phone contract.
- The [Ontario Ministry of Consumer Services](#) also provides some tips to keep in mind before signing a cell phone contract.

Consumer Beware List

Before doing business with a company you should consider looking to see whether it is on the [Consumer Beware List](#). The list is maintained by the Ontario Ministry of Consumer Services (Ministry) and includes businesses that have had a complaint filed against them under one of the acts administered by the Ministry within the last 21-27 months.

How to Make a Complaint

1. You must first write a complaint letter to the business to see if they will solve the problem. Make sure that you keep a copy of this letter and any other communications you have with the business. You should also keep proof of the delivery of the letter. For tips on how to write this letter visit the [Ontario Ministry of Consumer Services' \(Ministry's\) website](#).
2. If you are unable to solve your complaint with the company, you can contact the Ministry for assistance. You can call the Ministry (416-326-8800 or 1-800-889-9768; TTY: 416-229-6086 or 1-877-666-6545), [submit a complaint online](#), or [download](#) and complete a hardcopy of the complaint form and mail, fax, or e-mail it to the Ministry at:

Ministry of Consumer Services
Consumer Protection Branch
5775 Yonge St. Suite 1500
Toronto, ON M7A 2E5
Fax: 416-326-8665
E-mail: consumer@ontario.ca

When you file a complaint with the Ministry remember to include any supporting documentation that you may have.

There is a [Complaint Roadmap](#) available online that can show you the steps you need to take in order to file your complaint effectively.

How to Cancel a Contract

You have the right to cancel a contract and recoup your money if any of the following apply:

- The contract is subject to a cooling off period. If you sign a contract or make a purchase in your home that is worth more than \$50, you have the right to cancel the contract within ten days and get your money back.
- The seller made a false, misleading, or deceptive representation about the goods/services you agree to buy/lease. (Please see [Part III of the Consumer Protection Act, 2002](#) for examples of representations that qualify as false, misleading, or deceptive.)
- The agreement does not include information about the goods/services or your rights as a consumer as required by the *Consumer Protection Act, 2002*.

You should cancel a contract by fax or registered mail. Keep a copy of this communication and proof of delivery.

For more information on how to cancel a contract and sample cancellation letters, please see the [Ontario Ministry of Consumer Services' website](#).

Fraud and Scams

The Competition Bureau has published [The Little Black Book of Scams](#) which gives descriptions of the various types of scams that target Canadians and what you can do to protect yourself. Below you can find general information about some of the most common fraud and scams.

Identity theft

An identity thief will steal key pieces of your personal information and use it to impersonate you so that they can open bank accounts; apply for loans, credit cards, or social benefits; divert mail; rent apartments; or many other, sometimes more serious, crimes.

The types of information identity thieves steal are names, addresses, phone numbers, social insurance numbers, driver's licence numbers, banking information, credit card information, bank cards, calling cards, birth certificates, and passports.

If any of your personal cards or documents have been lost or stolen you should contact the issuer immediately and notify them. Ontario's [website on losing your wallet](#) tells you who you should contact if your wallet is lost or stolen.

How to protect your identity:

- Keep your cards and documents in a secure place and shred them when they expire
- Keep your receipts when you use a debit or credit card and check your bank account and credit card statements carefully for any discrepancies
- If a bill does not arrive on time or you apply for a credit card and it does not arrive, call the company
- If you are going away, ask someone you trust to pick up your mail or consider [Canada Post's hold mail service](#)
- Never tell anyone the PIN for your debit or credit cards
- Shield yourself when you enter a PIN at a payment terminal or a bank machine

Signs that your identity may have been stolen:

- You apply for credit and get turned down for a reason that does not seem in line with your personal finances
- You receive a credit card statement for a card you did not apply for
- You receive a notice or call that you have been granted or denied credit that you did not apply for
- You don't receive bills or statements that you are expecting

For more information on identity theft, please visit the [Ontario Ministry of Consumer Services' website](#), the [Royal Canadian Mounted Police's website](#), the [Canadian Anti-Fraud Centre's website](#), and the [Identity Theft Working Group's website](#).

Gift card scams

Sometimes individuals will write down the numbers of gift cards displayed in a store and then wait for the cards to be bought and activate so that they can use the numbers to shop online with a gift card purchased by someone else.

How to protect yourself:

- If possible, buy gift cards at the cashier instead of a display rack.
- Some gift cards have a scratch-off PIN number on the back. These are safer but you should make sure the PIN is not visible before purchasing the card.
- Check to see if the packaging of the gift card looks like it has been tampered with.
- Keep your receipts for each purchase you make with the gift card. The receipt will show the gift card number, the amount you redeemed, and any remaining balance. Present your receipts to the store if there is a problem with the amount left on your card.

For more information about gift cards, please see the [Ontario Ministry of Consumer Services' website](#).

Employment scams

The three most common employment scams are:

1. Guaranteed jobs

You should be cautious of advertisements that offer guaranteed jobs if you pay for a training course from that same company. After you have paid for and taken the training course, often you will not get a job. Also, the training course you have taken may not be recognized by other employers.

2. Fake employment agencies

If you post your résumé online and are contacted by an employment agency that offers to get you interviews or a job but only if you pay a fee, you should be cautious. These fake agencies often will not contact you again or will provide you with contact information for businesses with job openings that do not exist or have not heard of you. The fine print in the contracts with these fake agencies says that there is no guarantee of a job. You should always read a contract very carefully before signing and make sure you are cautious of offers that sound too good, like a guaranteed job.

3. Fake business opportunities

Be cautious if you are offered a contract, such as office cleaning, or the opportunity to work as a sub-contractor in exchange for a large investment fee. There may be no guarantee that you will get any clients under your contract and you may not be able to recoup your investment fee.

General tips:

- If something sounds too good to be true, it might be.
- Be cautious of any offer or contract that requires you to pay fees upfront.
- Ask companies for references.
- Get all promises in writing.
- Always keep a copy of any job offers or contracts.
- Never give out personal information (Social Insurance Number) or financial information (credit card numbers, bank information) unless you have a written job offer or a signed contract.

For more information on employment scams, please see the [Ontario Ministry of Consumer Services' website](#).

Cyber scams

Individuals often try to imitate a trusted source and persuade you to disclose personal information over the internet. For example, it may be an email from someone that looks like your bank asking you to follow a link and confirm some personal information. These emails often appear legitimate and you will often be taken to a website that looks like it really is your bank's website. However, you should always be skeptical of any email that asks you for personal information whether it asks you to reply to the email or takes you to another website.

The following is a list of the [top ten cyber crime prevention tips](#) provided by the Royal Canadian Mounted Police (RCMP):

1. Use strong passwords
 - Do not use the same user ID and password for everything
 - Use complex passwords with a combination of lower case letters, upper case letters, numbers, and special characters
 - Change your password regularly
2. Secure your computer
 - Active your firewalls
 - Use anti-virus/malware software
 - Use anti-spyware software
3. Be social-media savvy
 - Set your profiles to private and check your security settings
 - Do not post personal information on your profiles
4. Secure your mobile devices
 - Just like a computer, mobile devices are also vulnerable to viruses and hackers
 - Only download applications and files from trusted sources
5. Install the latest operating system updates
 - To make this easier turn on automatic updates
6. Protect your data
 - Encrypt sensitive files (including tax returns and financial records)
 - Back-up your data regularly and store this back-up in a separate location
7. Secure your wireless network
 - Review and modify the settings of your at-home Wi-Fi networks to make them private
 - Be careful when you use public Wi-Fi networks; do not conduct financial or corporate transactions on open networks
8. Protect your e-identity
 - Be cautious when you give out personal information online, especially when making purchases
 - Check the website's security certificate
 - Enable privacy settings of your internet browser
9. Avoid being scammed
 - Do not respond to emails that ask you for personal (including user IDs and passwords) or financial information
 - Do not download or open links/files from unknown sources
10. Call the right person for help
 - If you have been the victim of or suspect a computer crime report it to your local police

For more information about cyber scams and how you can stay safe, please see [Get Cyber Safe](#), the [Ontario Ministry of Consumer Services' website](#), and the [RCMP's website](#).

Charity scams

Sometimes people will solicit donations by phone, email, mail, or door-to-door fundraising but the donations you make will not actually go to a charity. In order to ensure the money you donate gets to the intended recipients be cautious before making donations.

The Canada Revenue Agency maintains a [list of registered charities](#) that you can search on their website. You can search by the charity name or do an [advanced search](#) by other fields (including the charity's registration number).

General tips:

- Ask for the charitable registration number.
- Ask for a tax receipt.
- Ask how exactly your donation will be used.
- Pay attention to the name of the charity as scam artists will use names similar to well-known charities.
- Consider researching the charity online or looking it up in a phone book before donating.
- Do not make cash donations.
- Do not give out personal information or your credit card number over the phone or to someone at your door.
- If you write a cheque, make it out the charity using their full name.
- If someone insists that you have made a pledge to their charity but you do not remember doing so, do not give into the pressure to donate as this is a common tactic used by scam artists.

For more information about charity scams, please see the [Ontario Ministry of Consumer Services' website](#). Also, see the [Canada Revenue Agency's website](#) for more useful information for donors.

Telemarketing scams

Toll-free numbers begin with 1-800, 1-877, or 1-888. **Phone numbers that begin with 1-809, 1-900, or 1-976 are NOT toll-free.** These phone numbers require you to pay for calls and often have a minimum charge of \$35. It is not advisable to respond to advertisements or messages that ask you to call a number beginning with one of these area codes. Often you will phone the number, listen to a long message that will disconnect, and then you will be charged for the call on your phone bill.

Beware of phone calls that ask you to buy services or products. **Do NOT give out personal or financial information over the telephone.** If you are interested in a service or product offered to you by a telemarketer, record the information and do some research about the company before making a commitment. You should not give into high-pressure sales tactics.

Also, beware of calls that say you have won a contest but require you to pay a processing fee or enter a timeshare agreement before you can collect your prize (usually a vacation).

You can register your phone number with the [National Do Not Call List](#) (National DNCL) in order to reduce the number of calls you get from telemarketers. Make sure you read the information about the National DNCL before registering.

For more information about telemarketing scams, please see the [Ontario Ministry of Consumer Services' website](#).

Reporting a scam or fraud

If you think you have been the victim of a scam or fraud you should contact your local police. Please visit the [Ontario Ministry of Consumer Services' website](#) to find out who else you can contact.