

**Ministry of Training,  
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Private Career Colleges Branch  
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## Particulars of Judicial Review

July 2, 2014

These particulars are posted following a case heard before the Superior Court of Justice Divisional Court on July 9, 2013. The date of reasons for judgment was July 15, 2013.

LSBF Canada Inc.  
36 Eglinton West, Suite 604  
Toronto ON M4R 1A1

and

36 Eglinton West, Suite 603  
Toronto ON M4R 1A1

<b>Description of Court Action:</b>	<b>Decision:</b>
<p>On April 17, 2013, the Superintendent of Private Career Colleges ("Superintendent") issued a Restraining Order and a Notice of Contravention containing administrative monetary penalties against this School for contravening the Private Career Colleges Act, 2005.</p> <p>The School sought to review the Restraining Order and requested an order setting aside or quashing the Restraining Order. In the alternative, the School sought an order suspending the Restraining Order until such time as the Minister ruled on the School's request for a review.</p>	<p>The Court concluded that there was a failure by the Superintendent to provide procedural fairness to the School prior to the issuance of the Restraining Order. There was a duty on the Superintendent to provide an opportunity for the School to make submissions before a decision was made to issue a Restraining Order.</p> <p>The failure to provide procedural fairness was cured by the fact that the School was given the opportunity to make submissions to the Superintendent subsequent to the issuance of the Restraining Order.</p> <p>The application was dismissed.</p>