

RESTRAINING ORDER

Served by email (elsa@atouchoflove.ca) and by courier

March 23, 2010

Elsa Chau
6721249 Canada Inc. operating as A Touch of Love – Markham's Day Spaw for Pets
4981 Highway 7, Unit #9
Markham, ON L3R 1N1

AND

6721249 Canada Inc. operating as A Touch of Love – Markham's Day Spaw for Pets
65 Cheetah Crescent
Scarborough, Ontario, M1B 6J8

Attention: Elsa Chau

This is a **Restraining Order** issued under the authority of section 46 of the Private Career Colleges Act, 2005 (PCCA, 2005). As the Superintendent of Private Career Colleges, I HEREBY ORDER 6721249 CANADA INC. operating as A TOUCH OF LOVE – MARKHAM'S DAY SPAW FOR PETS (A TOUCH OF LOVE - MARKHAM) TO STOP OPERATING IN CONTRAVENTION OF THE PRIVATE CAREER COLLEGES ACT, 2005 (PCCA, 2005).

The detailed reasons supporting my order are set out in Schedule A, attached. In brief, A Touch of Love - Markham is:

- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively.

A Touch of Love - Markham must provide written confirmation signed by a person with authority to bind the school, together with all available supporting evidence, that the steps outlined below have been taken. This written confirmation must be delivered **immediately** by registered mail or courier to my attention and confirm that A Touch of Love - Markham:

- has stopped advertising an unregistered Private Career College and unapproved vocational programs that require approval.

If A Touch of Love - Markham is currently providing unapproved vocational programs as an unregistered Private Career College, these actions would be contrary to sections 7 and 8 of the PCCA, 2005 respectively. A Touch of Love - Markham would

then be required to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, A Touch of Love - Markham:

- must stop operating an unregistered Private Career College;
- must stop providing unapproved vocational programs that require approval;
- must stop enrolling students into unapproved vocational programs that require approval;
- must provide the ministry with a list including the names and addresses of all current and former students;
- must provide refunds to students who were enrolled in unapproved vocational programs that require approval;
- must not hold, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs that require approval;
- must hold student files to be available for the Superintendent's staff to review; and
- must not reopen as a Private Career College until such time, if any, as it has been registered.

Consequences of Failure to Comply with this Order

Failure to comply with this order may result in any or all of the following actions by the Superintendent:

1. Application for a court order from the Superior Court of Justice to A Touch of Love - Markham to comply;
2. The issuance of further Administrative Monetary Penalties.
3. Prosecution for the offence of failure to comply. Upon conviction by a court of that offence, a corporation is subject to a fine of up to \$100,000; an individual, including an officer or director of a corporation who concurs in the commission of the offence, is subject to a fine of up to \$25,000, a prison term of up to one year, or both.

Obtaining a Copy of the PCCA, 2005

As noted above, the applicable legislation is the *Private Career Colleges Act, 2005* and the regulations made thereunder. The legislation and regulations are available at www.e-laws.on.ca. If you are unable to access any relevant information on e-laws, you may contact our offices at (416) 314-0500 to request that a copy of the legislation and regulations be sent to you.

Sincerely,

ORIGINAL SIGNED BY

Allan Scott
Superintendent

Private Career Colleges

Attachments: Schedule A – Detailed Reasons for Decision

Schedule A – Detailed Reasons for Decision

Contravention of section 11 of the PCCA, 2005 – Advertising Unregistered Private Career College and Unapproved Programs

On March 12, 2010, the website (www.atochoflove.ca) was reviewed by Ministry staff, who found it advertising a “Pet – Dog Grooming School” and a certification program in pet grooming, as follows:

Canada's Premier Dog Grooming School, Toronto, Markham, Ontario - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print Encoding Size Full Screen

Address <http://www.atochoflove.ca/pet-dog-cat-grooming-school-toronto/> Go Convert Select

Subscribe Comments

A Touch of Love
Healing Your Pet's Body, Mind & Spirit®

Healing Your Pet's Body, Mind & Spirit®
with products from our **ONLINE STORE**

Home Online Store Spa & Wellness Centre Grooming Products Grooming School About Contact Blog

Pet – Dog Grooming School – Toronto & Markham

A Touch of Love® Grooming Academy offers the most comprehensive certificate program in pet grooming. Our full-time program consists of 6 months of intensive practical and theory education with one-on-one instruction. Our Grooming Academy is headed by Shane Carr – President and C.E.O of A Touch of Love Inc., he is recognized as one of the top creative pet styling artists throughout Canada and the United States. He is a member of the Canadian Kennel Club, Ontario Dog Groomer's Association, Pet Industry Joint Advisory Council of Canada and the American Pet Products Manufacturers Association (APPPMA).

We teach our students not only to become a professional stylist, but also to be self-sufficient to operate and manage their own business. Course program includes: professional pet styling of all breeds recognized by the Canadian Kennel Club, rare breeds, mixed breeds, and the feline world of pets. Students will learn to perform therapeutic treatments and massage therapy. We also have additional education on Reiki for Pets as an option. We teach techniques of customer service, marketing, advertising, merchandising, networking and business plan preparation. The program is complete with foundation for entrepreneurship.

In addition, we offer opportunity for apprenticeship and job placement with on-going support. Outstanding performers will be considered a candidate of our franchise system and be on the road to success.

The tuition fee of \$8,000.00 includes the initial grooming equipment and textbook valued at approximately \$1,000 – \$1,200. The equipment is your very own set of tools which includes clippers, blades, scissors, brushes, combs and other supplies.

Our full-time program is 5 days a week at 40 hours per week. Our course is offered from both locations in the

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First Name

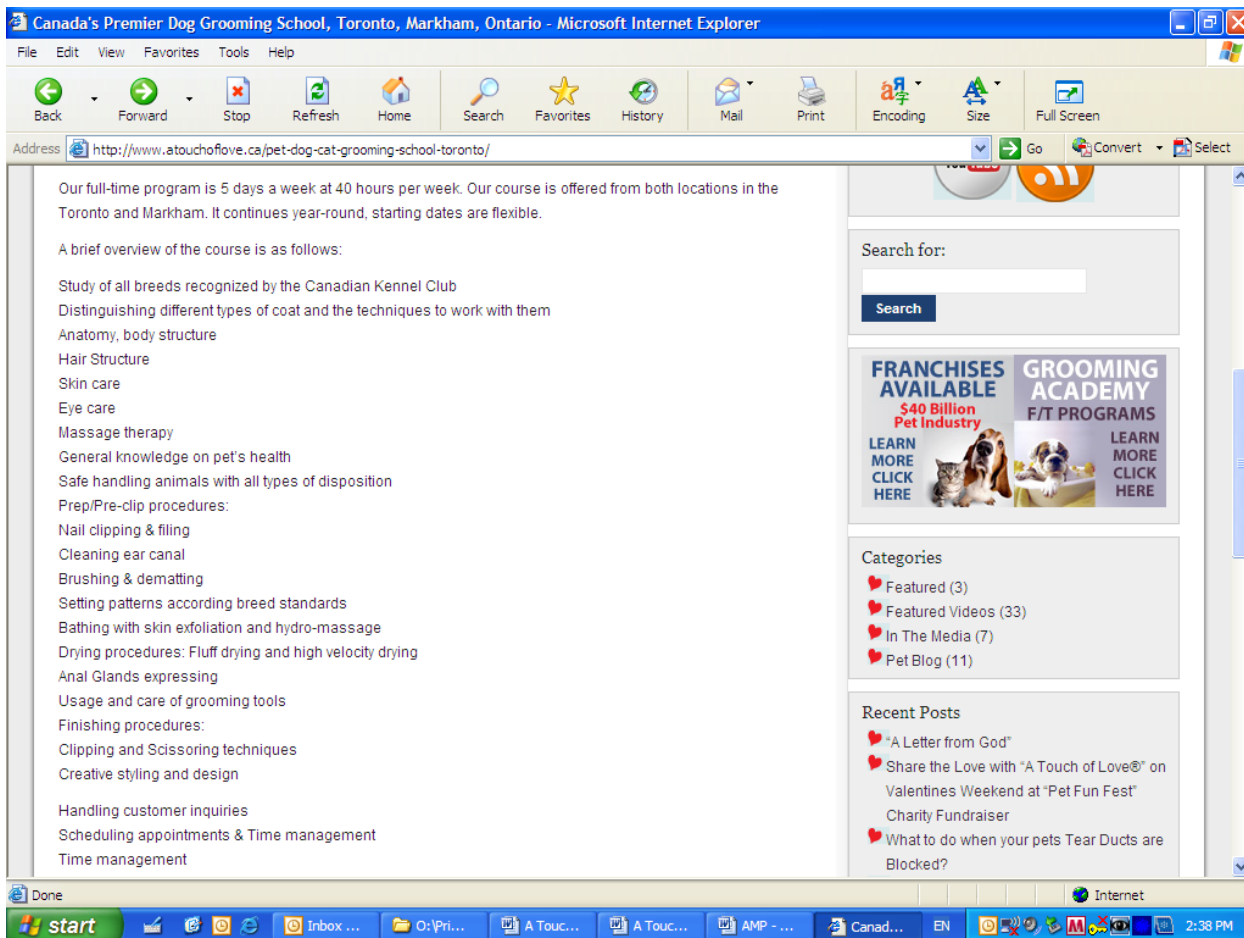
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The school's website (www.atochoflove.ca) advertises a full-time certificate program in pet grooming which teaches students to become professional stylists and consists of 6 months of instruction, 5 days per week at 40 hours per week. Tuition fees cost \$8,000. Based on this information, the full-time certificate program in pet grooming would consist of approximately 960 hours and would therefore fit the definition of vocational programs according to the PCCA, 2005 and requires the approval of the Superintendent of Private Career Colleges.

Pet grooming courses correspond to National Occupational Classification (NOC) code 6483 Pet Groomers and Animal Care Workers.

The school's website (www.atochoflove.ca) specifies that classes are offered at two locations: Toronto and Markham. Under the contact information for the Markham location (A Touch of Love – Markham's Day Spaw for Pets, 4981 Hwy #7 Unit #9, Markham, Ontario, L3R 1N1 and telephone number 905-489-2758), the website specifies that Elsa Chau is a franchisee.

Since 6721249 Canada Inc. operating as A Touch of Love – Markham's Day Spaw for Pets is not registered as a private career college under the PCCA, 2005, and the certification program in pet grooming is not approved, advertising them is prohibited in accordance with section 11, as noted above.

BACKGROUND:

On March 12, 2010, the website (www.atouchoflove.ca) was reviewed by Ministry staff, who found it advertising a “Pet – Dog Grooming School” and a certification program in pet grooming.

Legal and Operating Entities

The school’s website (www.atouchoflove.ca) specifies that classes are offered at two locations: Toronto and Markham. Under the contact information for the Markham location (A Touch of Love – Markham’s Day Spaw for Pets, 4981 Hwy #7 Unit #9, Markham, Ontario, L3R 1N1 and telephone number 905-489-2758), the website specifies that Elsa Chau is a franchisee.

6721249 Canada Inc. is registered as a corporation under the Canada Business Corporations Act. Elsa Chau is listed on the registration as a Director. The registered office address is 65 Cheetah Crescent, Scarborough, Ontario, M1B 6J8.

An ONBIS search conducted on March 12, 2010 shows that the registered business name for 6721249 Canada Inc. is A Touch of Love – Markham’s Day Spaw for Pets. Elsa Chau is listed as the officer/manager in Ontario. The address registered for the operating name is 4981 Highway 7, Unit #9, Markham, Ontario, L3R 1N1. This is the same address listed for the franchise on the school’s website.

Since the Toronto location is operated by a separate legal entity (A Touch of Love Inc.), this restraining order is only directed at 6721249 Canada Inc. operating as A Touch of Love – Markham’s Day Spaw for Pets.