

Particulars of Notice of Contravention and Review Decision

S. 49 (1) Private Career Colleges Act, 2005 ("Act")

October 10, 2013

These particulars are posted following the issuance of an administrative penalty for which a review was requested. Penalties may be reviewed upon request within 15 days of receipt of a Notice of Contravention. The review decision is made considering not only the information originally available at the time the Notice of Contravention was issued, but also any new information not previously available that may have been supplied in support of the request for a review. On review, an administrative penalty may be upheld, rescinded or reduced. A review decision is final.

Original service date: January 3, 2012

2207491 Ontario Inc. operating as Global ERP Solutions

199 Advance Blvd.

Brampton On

L6T 4N2

Description:	Original Amount:	Review Decision:
Act, s. 11 – Restrictions on advertising and soliciting On June 23, 2011 and several subsequent dates, Designates of the Superintendent ("Designates") reviewed a website belonging to 2207491 Ontario Inc. operating as Global ERP Solutions	\$1,000 per day	Penalty of \$1,000 per day is upheld. The penalty accumulated from January 3, 2012 to January 4, 2012 (inclusive). The balance of evidence available indicates that 2207491 Ontario Inc. o/a Global ERP Solutions was advertising an unapproved vocational program on

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<p>(the "School"), and found it to be advertising a Software Quality Assurance ("QA") program which was titled "Software Testing (Business Process Improvement)."</p> <p>On June 29, 2011, a Designate, posing as a student, spoke to one of the School's representatives who stated that the QA program was 60 hours in duration and cost \$1,200. The representative later sent an e-mail to the Designate which stated the next offering of the program would begin on July 9, 2011.</p> <p>On July 27, 2011, two Designates attended the School's campus to make inquiries and conduct examinations. During that visit, Designates found e-mails which had been sent to students by representatives of the School, and which promoted the QA program by stating that students with any amount of experience could succeed in the program, and that the School would help graduates find employment.</p> <p>By advertising this unapproved vocational program, the School acted in contravention of section 11(2) of the Act.</p>		<p>its website. The balance of the evidence supports that the unapproved vocational program differed in duration, cost and prerequisites from the program that was pre-screened and deemed exempt in 2010.</p> <p>Evidence supports that 2207491 Ontario Inc. o/a Global ERP Solutions was aware that the exemption provided by the ministry in its pre-screening letter of November 25, 2010 was based on facts as they were presented by the School at the time. Any changes to the program that was pre-screened in 2010, including to duration, cost and prerequisites, would require the submission of revised pre-screening application.</p> <p>Original penalty: \$2,000 Penalty following review: \$2,000</p>

Description:	Original Amount:	Review Decision:
<p>Act, s. 7 – Prohibition against operating a private career college</p> <p>The School had a public website which was used to advertise a vocational program, and which also provided contact information for the School. The School had the resources to monitor its phones and send e-mails to prospective students. It also maintained a physical presence in Ontario at which it delivered vocational training.</p> <p>Therefore the School was operating an unregistered Private Career College, contrary to s. 7 of the Act.</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld.</p> <p>The penalty accumulated from January 3, 2012 to January 4, 2012 (inclusive).</p> <p>The balance of evidence available indicates that 2207491 Ontario Inc. o/a Global ERP Solutions was operating an unregistered private career college, including advertising and providing an unapproved vocational program and enrolling students in the unapproved program for a fee.</p> <p>Original penalty: \$2,000 Penalty following review: \$2,000</p>
<p>Act, s. 8 (1) – Prohibition against providing vocational programs</p> <p>On July 27, 2011, two Designates attended the School’s campus to make inquiries and conduct examinations. During that visit, Designates spoke with the School’s director about the QA program. Mr. Kumar acknowledged that the program was being delivered, had substantial enrolment, cost \$1,200, and was delivered over a period of 60 hours.</p> <p>The Designates requested documentation which would confirm how many students had taken the QA program in 2011 and what they had paid. Between August 21, 2011 and October 13, 2011, Designates were provided with records indicating that</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld.</p> <p>The penalty accumulated from January 3, 2012 to January 4, 2012 (inclusive).</p> <p>The balance of evidence available indicates that 2207491 Ontario Inc. o/a Global ERP Solutions was offering and providing an unapproved vocational program corresponding with National Occupation Classification code 2283 – Systems Testing Technicians.</p> <p>Evidence supports that this program accepted students with no prior education or work experience within the field.</p> <p>Original penalty: \$2,000 Penalty following review: \$2,000</p>

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<p>78 students had enrolled in the program in 2011, and that the majority of these students had paid, or had agreed to pay, at least \$1,200 for the QA program.</p> <p>By offering and providing the QA program without the approval of the Superintendent, the School contravened section 8 of the Act.</p>		
<p>Act, s. 9 – Prohibition against charging fee</p> <p>On July 27, 2011, two Designates attended the School’s campus to make inquiries and conduct examinations.</p> <p>The Designates requested documentation which would confirm how many students had taken the QA program in 2011 and what they had paid. Between August 21, 2011 and October 13, 2011, Designates were provided with records indicating that 78 students had enrolled in the program in 2011, and that the majority of these students had paid, or had agreed to pay, at least \$1,200 for the QA program.</p> <p>By charging fees for the QA program without the approval of the Superintendent, the School has contravened section 9 of the Act.</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000. The penalty accumulated from January 3, 2012 to January 4, 2012 (inclusive).</p> <p>The balance of evidence available indicates that 2207491 Ontario Inc. o/a Global ERP Solutions charged a fee to at least 78 students for an unapproved vocational program.</p> <p>Original penalty: \$2,000 Penalty following review: \$2,000</p>

Description:	Original Amount:	Review Decision:
<p>Act, s. 38 (10) – Inquiries and examinations, Obstruction</p> <p>While making inquiries into the activities of the School and its QA program, Designates spoke and corresponded with the School’s director on several occasions. Analysis of these interactions as well as the evidence obtained while making these inquiries shows that at least three statements made by the director were false or misleading.</p> <p>The director stated that the QA program which was being offered by the School, which was 60 hours in duration, cost \$1,200 and for which no pre-requisites were required for admission, was the same as a 693 hour program which cost \$9,950 and for which a university degree was required for admission, which was previously found to be exempt from the requirements of the Act.</p> <p>The director also stated that applicants would not be admitted into the QA program without previous experience, but Designates obtained advertisements and e-mails which stated that the only admission requirement were English comprehension skills.</p> <p>Finally, during the Designates July 27, 2011, the Designates asked the director for access to the e-mail account which was attached to one of the online inquiry</p>	<p>\$1,000</p>	<p>Penalty of \$1,000 is upheld.</p> <p>The balance of evidence available indicates that 2207491 Ontario Inc. o/a Global ERP Solutions provided false information to Designates of the Superintendent, related to the characteristics (program duration, cost and prerequisites) of its unapproved vocational program and the status of its website.</p> <p>Original penalty: \$1,000 Penalty following review: \$1,000</p>

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<p>form found on the School's website. The director told the Designates that the online inquiry function of the website was broken, but Designates were able to prove that the function was operational, and that it was connected to one of the School's e-mail addresses.</p> <p>By providing Designates with false or misleading information, Mr. Kumar contravened section 38(10) of the Act.</p>		
<p>Total Original Penalties: \$9,000</p>	<p>Total Penalties Following Review: \$9,000</p>	