

## Particulars of Notice of Contravention and Review Decision

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

March 14, 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 On review, an administrative penalty may be upheld, rescinded or reduced.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: April 27, 2012

Heung Soon Im  
Hancock Corporation o/a Tokyo Sushi Academy  
370-970 Eglinton Avenue  
East York, Ontario  
M4G 2L8

Description:	Original Amount	Review Decision:
<p><b>Act, s. 11 – Restrictions on advertising and soliciting</b></p> <p>The Superintendent of Private Career Colleges came to the reasonable belief that this School was advertising itself as unregistered private career college and was advertising an unapproved vocational program, namely a Sushi Chef in contravention of subsections 11(1) and 11(2) of the Act.</p> <p>The advertising appeared on the School's website <a href="http://www.hancockworld.com">http://www.hancockworld.com</a> and two newspaper advertisements, including</p>	<p>\$1,000</p>	<p>Penalty of \$1000 per day for the period of April 27, 2012 to May 1, 2012 reduced to a total of \$1000.</p> <p>The balance of evidence available indicates that Hancock Corporation, o/a Tokyo Sushi Academy, was advertising an unapproved vocational program.</p>

<p>one in the Korea Times Daily (Hankook Weekly). The program was advertised as a six week course from Monday to Thursday for 3 hours (12:30 pm to 3:30 pm) a day, totalling 72 hours for the tuition cost of \$1,400 + tax.</p> <p>This School is not a registered private career college and has not obtained the approval of the Superintendent to offer this unapproved program and was therefore found in contravention of s. 11(1) and (2) of the Act.</p>		
<p><b>Act, s. 8(1) – Prohibition against providing unapproved vocational programs</b></p> <p>On March 14, 2012, Designates attended at the location where class was being conducted and observed two students preparing Japanese Sushi cuisine and one instructor who identified himself as Mr. Jimmy Im. Designates interviewed Mr. Im who confirmed that he is in charge of the School. Mr. Im confirmed that the class in session was a Sushi Chef program that the class schedule consisted of 6 weeks from Monday to Thursday from 10:30 am to 1:30 pm at the cost of \$1,400. Mr. Im confirmed that the two advertisements in the Designates possession were purchased by the School to promote the Sushi Chef program.</p> <p>On March 21, 2012, the School provided a translation of the two advertisements, a course curriculum, a list of the School's graduates and current students for 2012, and receipts issued to students of the Sushi Chef program.</p> <p>As a result of this evidence the Superintendent came to the reasonable belief that the School was offering an unapproved vocational program in contravention of section 8(1) of Act.</p>		<p>Penalty of \$1000 per day for the period of April 27, 2012 to May 1, 2012 reduced to a total of \$1000.</p> <p>The balance of evidence available indicates that Hancock Corporation, o/a Tokyo Sushi Academy, was offering an unapproved vocational program.</p>

<p><b>Act, s. 9 – Prohibition against charging a fee</b></p> <p>The Designate reviewed receipts issued by the School to students of the School's Sushi Chef program. These receipts contained School's contact information along with a record of payment of course fees of \$1,440 plus tax, totalling \$1,620.72. These receipts demonstrated that the School received payments for the unapproved program in excess of \$1,000.</p> <p>The Superintendent came to the reasonable belief that this School was charging fees for an unapproved program, in contravention of section 9 of the Act.</p>		<p>Penalty of \$1000 per day for the period of April 27, 2012 to May 1, 2012 reduced to a total of \$1000.</p> <p>The balance of evidence available indicates that Hancock Corporation, o/a Tokyo Sushi Academy, was charging a fee for an unapproved vocational program.</p>
<p><b>Act, s. 7 – Prohibition against operating an unregistered private career college</b></p> <p>The School advertised a Sushi Chef program in its website and newspaper, enrolled students in its unapproved Sushi Chef program, charged fees to students who enrolled in the unapproved Sushi Chef program, and charged fees to students to enrol in an unapproved vocational program. Mr. Im verified to the Designate that he is in charge of the Corporation and School, as well as the only instructor teaching the unapproved Sushi Chef program.</p> <p>As a result of this evidence the Superintendent came to the reasonable belief that the School was holding itself out as the operator of a private career college without being registered, in contravention of section 7 of the Act.</p>		<p>Penalty of \$1000 per day for the period of April 27, 2012 to May 1, 2012 reduced to a total of \$1000.</p> <p>The balance of evidence available indicates that Hancock Corporation, o/a Tokyo Sushi Academy, was operating an unregistered private career college.</p>
<b>Total:</b>		<b>\$4,000</b>