

Particulars of Notice of Contravention and Review Decision
S. 49(1) *Private Career Colleges Act, 2005* (“Act”)

June 30, 2011

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 On review, an administrative penalty may be upheld, rescinded or reduced.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 21, 2011

Zhan Wu Li
Director
Kingsway Driving School Inc.
o/a Kingsway Professional Trucking College
302-4168 Finch Avenue East
Toronto On M1S 5H6

Description:	Original Amount:	Review Decision:
<p>Act, s. 11 — Restrictions on advertising and soliciting</p> <p>On April 12, 2011 a Designate of the Superintendent (“Designate”) reviewed a website belonging to the School (http://kingswaydriving.com/) and found it to be advertising a 150 hour, \$5,127 Tractor Trailer Driver program. The website lists the School’s address (318-4168 Finch Ave E, Scarborough Ontario), phone numbers (416-298-0883 and 416-298-1838), fax number (416-298-8616), e-mail address (kingswaydriving@gmail.com) and office hours. The “about us” page of the website falsely states that the School is registered as a private career college.</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld for the period of April 21, 2011 (inclusive).</p> <p>The balance of evidence available indicates that Kingsway Driving School Inc. was advertising unapproved vocational programs.</p>
<p>Act, s. 7 – Prohibition against operating a private career college</p> <p>The following evidence has formed the basis for the Designate’s reasonable belief that the School is holding itself out as the operator of a private career college:</p> <ul style="list-style-type: none"> • the evidence offered in the previous section clearly indicates that the School is advertising and offering vocational programs for a fee; • The website http://kingswaydriving.com/ 	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld for the period of April 21, 2011 (inclusive).</p> <p>The balance of evidence available indicates that Kingsway Driving School Inc. was holding itself out as a registered private career college.</p>

<p>provides the School's address, as well as a contact phone number, fax number, hours of operation and e-mail address and states that the School is registered as a private career college;</p> <ul style="list-style-type: none"> • On April 14, 2011 Designates attended the School's campus at 4168 Finch Ave E and found that the School was displaying its expired 2008 and 2010 certificates of registration of a private career college in its office and classroom. The certificates were framed and wall mounted; • According to ONBIS, Kingsway Driving School Inc. was registered on January 27, 1998 and its address is currently listed as being 318-4168 Finch Avenue East, Scarborough Ontario. 		
<p>Act, s. 8 (1) – Prohibition against providing vocational programs</p> <p>On April 14, 2011 Designates attended the School's campus at 318-4168 Finch Ave E and obtained copies of registration forms entered into between the School and its students. An employee of the School confirmed that they serve as contracts. Upon reviewing these documents a Designate found seven completed registration forms for vocational programs.</p> <p>These registration forms confirmed that four students had enrolled in AZ programs that cost most than \$1,000 and were more than 40 hours in duration, and that three students had enrolled in BZ programs that cost most than \$1,000 and were more than 40 hours in duration.</p> <p>The School has, therefore, offered or provided vocational programs in contravention of section 8 of the Act.</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld for the period of April 21, 2011 (inclusive).</p> <p>The balance of evidence available indicates that Kingsway Driving School Inc. was providing unapproved vocational programs.</p>
<p>Act, s. 9 – Prohibition against charging fee</p> <p>On April 14, 2011 Designates attended the School's campus at 318-4168 Finch Ave E and obtained copies of registration forms entered into between the School and its students. An employee of the School confirmed that they serve as contracts. Upon reviewing these documents a Designate found seven completed registration forms for vocational programs.</p> <p>These registration forms confirmed that four students had enrolled in AZ programs that cost most than \$1,000 and were more than 40 hours in duration, and that three students had enrolled in BZ programs that cost most than \$1,000 and were more than 40 hours in duration. The forms also contained confirmation that these students had paid fees for their programs.</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld for the period of April 21, 2011 (inclusive).</p> <p>The balance of evidence available indicates that Kingsway Driving School Inc. was charging fees for unapproved vocational programs.</p>

The School has, therefore, charged fees for vocational programs in contravention of section 9 of the Act.		
Total:		\$4,000