

Particulars of Notice of Contravention and Review Decision

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

Friday March 25, 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 On review, an administrative penalty may be upheld, rescinded or reduced.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: December 8, 2010

Deep Mann known as Mann Driving School
35 Softneedle Avenue
Brampton, ON
L6R 1K4

Description:	Original Amount:	Review Decision:
<p>Act, s. 11 — Restrictions on advertising and soliciting</p> <p>On October 19, 2010, a Designate of the Superintendent of Private Career Colleges (“Designate”) reviewed internet advertising for an Unlimited AZ driving course at Mann Driving School at http://www.manndrivingschool.com. On October 19, 2010, a Designate telephoned the number (647-244-8172) for Mann Driving School provided both on the school’s website (http://www.manndrivingschool.com) and through a tip to the Ministry. The Designate spoke to Deep Mann, who identified himself as the owner of the school and confirmed that the Designate was calling “Mann Truck Driving School.” Mr. Mann advised the Designate that he has an AZ course costing \$2,000 that includes the airbrake course and unlimited lessons. AZ training corresponds to National Occupational Classification (NOC) code 7411 –Truck Drivers. Based on the preceding information, the unlimited lesson AZ course at a fee of \$2,000 fits the definition of vocational training requiring the approval of the Superintendent according to the Act. Since Deep Mann known as Mann Driving School is not registered and this program is not approved, advertising of same is prohibited in accordance with Section 11(1) and (2) of the Act, respectively.</p>	<p>\$1,000 per day</p>	<p>Penalty was reduced to \$500 per day for the period of December 9, 2010 to December 16, 2010 (inclusive).</p> <p>The balance of evidence available indicates that Mann Driving School was advertising an unregistered private career college.</p>

Act, s. 8 (1) — Prohibition against providing vocational programs	\$1,000 per day	Penalty Rescinded.
<p>Act, s. 7 — Prohibition against operating a private career college</p> <p>Under section 7(2) of the Act, no person shall hold themselves out as the operator of a private career college unless the person is registered. Based on the fact that Deep Mann identified himself as the owner of Mann Driving School and described the unapproved vocational program at the school, Deep Mann known as Mann Driving School is in contravention of section 7(2) of the Act.</p>	\$1,000 per day	<p>Penalty was reduced to \$500 per day for the period of December 9, 2010 to December 16, 2010 (inclusive).</p> <p>The balance of evidence available indicates that Mann Driving School was holding itself out as a private career college without being registered.</p>
Total:		\$8,000