

Ministry of Training,  
Colleges and Universities  
Private Career Colleges Branch  
9<sup>th</sup> Floor, Mowat Block  
900 Bay Street  
Toronto ON M7A 1L2

Ministère de la Formation  
et des Collèges et Universités  
Direction des collèges  
privés d'enseignement professionnel  
9<sup>e</sup> étage, édifice Mowat  
900, rue Bay  
Toronto ON M7A 1L2



Notice of Contravention # 009

**Served by Email < dmarks@futureair.ca> , by Fax (705) 487-5458 and Courier**

January 8, 2010

David Marks, Secretary/Treasurer  
Midland Flight Centre Ltd.  
1973 Concession 6 N.,  
Staynor, ON L0M 1S0

And

David Marks, Secretary/Treasurer  
Midland Flight Centre Ltd.  
250 Zelda Crescent  
Richmond Hill, ON L4C 2Y5

## **NOTICE OF CONTRAVENTION**

This letter is to inform you, David Marks, as the Secretary/Treasurer of the Midland Flight Centre Ltd, known as Future Air, that on January 7, 2010 it was determined that Future Air contravened the following section(s) of the *Private Career Colleges Act, 2005* and/or regulations made under the Act:

- Act, s. 11 — Restrictions on advertising and soliciting (\$1,000)

For a Summary of each contravention see attached Schedule A.

As per section 51 of *Ontario Regulation 415/06* made under the *Private Career Colleges Act, 2005*, Future Air is subject to a penalty in the total amount of \$1,000 per day. It is important to note that the penalty is levied daily. The total penalty amount is calculated by multiplying the penalty amount indicated above by the number of successive days that the contravention continues.

*For example: following 5 successive days that the contravention continues the penalty amount due will be \$5,000.*

*following 15 successive days that the contravention continues the penalty amount due will be \$15,000.*

At this time you are required to provide the ministry with written confirmation of compliance with the *Private Career Colleges Act, 2005* and its regulations. Please

supply the ministry with the following documents confirming that you have come into compliance with the Act:

- written confirmation that Future Air has stopped advertising unapproved vocational programs until such time as Future Air is approved as a registered Private Career College

Once you have confirmed compliance with the Act, the penalties will cease to accumulate and you will receive an invoice that sets out the total penalty outstanding. Payment of the full amount is due within **30 days** of the date of your notification.

If payment is not received within **30 days** after the date the notice of contravention was received, the amount will be subject to interest at the current postjudgment interest rate beginning on the 31<sup>st</sup> day following the date of notice. The current rate can be found at the following address:

[www.attorneygeneral.jus.gov.on.ca/english/courts/interestrates.asp](http://www.attorneygeneral.jus.gov.on.ca/english/courts/interestrates.asp).

### **Review**

If you believe that the decision made above is inaccurate you may request a review of this decision by submitting a Request for a Review of a Notice of Contravention form to the Minister of Training, Colleges and Universities within **15 days** of receipt of the Notice of Contravention.

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Allan Scott  
Superintendent of Private Career Colleges

## Schedule A

Act, s. 11 — Midland Flight Centre Ltd., known as Future Air, was first contacted by the ministry on September 20, 2008 to initiate registration as a Private Career College. A year later on September 2, 2009 Ministry staff made a more concerted effort to enforce compliance. Over the next two months, Future Air gradually entered information on the RICC system. The last communication sent to Future Air from the Ministry was December 2, 2009 which instructed them as to how to finish and submit their application. No response has been received by Future Air. As of January 7, 2010, Future Air has submitted two programs on the RICC system, but has not submitted any hard copy documentation, has not submitted their campus application or submitted a cheque for registration. In the mean time, the Future Air website, [www.futureair.ca](http://www.futureair.ca), continues to advertise programs that are not yet approved by the ministry.

The website, [www.futureair.ca](http://www.futureair.ca), describes the following programs which require registration under the PCCA, 2005:

- Commercial Pilot License with a minimum cost of \$13,189.00.
- Instructor Rating with a minimum cost of \$7,670,00

Both courses exceed 40 hours. The registration information submitted to date states the Commercial Pilot License is 165 hours and the Instructor Rating is 75 hours in length. Both programs were pre-screened and Future Air was instructed to register the programs.

A phone inquiry from the Ministry to Future Air on January 7, 2010 confirmed that the prices on the website were accurate.

According to the description provided on the website, the result of the pre-screening and the material submitted to date, all of the preceding programs fit the definition of a vocational program according to the PCCA, 2005. Therefore the school is contravening the PCCA, 2005 by advertising unregistered vocational programs and therefore advertising itself as a Private Career College .