

Ministry of Training,
Colleges and Universities
Private Career Colleges Branch
9th 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^e étage, édifice Mowat
900, rue Bay
Toronto ON M7A 1L2



Notice of Contravention #54

**SERVED BY FAX 905-513-0203
AND BY EMAIL TO sams@mountainscollege.com
AND BY COURIER**

March 29, 2010

Mountains System Corporation
o/a Mountains Institute of Technology Canada
50 Acadia Avenue, Suite 120
Markham, Ontario L3R 0B3

And to

Qingsan Sam Shao
85 Ingram Road
Markham, Ontario L3S 4J9

Attn: Qingsan Sam Shao, President

NOTICE OF CONTRAVENTION

This letter is to inform you as the President of Mountains System Corporation ("Mountains") that on March 21, 2010 it was determined that Mountains contravened the following section(s) of the *Private Career Colleges Act, 2005* and/or of regulations made under the Act:

Act, s. 11 – Restrictions on advertising and soliciting (\$1,000 per day) and Failure to comply with the Order of the Superintendent made under s. 46 of the Act (\$1,000 per day)

For a summary of each contravention see attached Schedule A.

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 \$10,000.

following 15 successive days that the contravention continues the penalty amount due will be \$30,000.

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 immediately supply the ministry with written acknowledgement that you have ceased all advertising and have shut down the website www.mountainscollege.com.

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 post-judgment interest rate beginning on the 31st 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.

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.

ORIGINAL SIGNED BY

Allan Scott
Superintendent of Private Career Colleges

Schedule A

Context Applicable to all Contraventions

On October 7, 2009, an Immediate Suspension Order, pursuant to s. 20(1) of the PCCA, 2005, followed on October 23, 2009 by a Revocation of Registration, pursuant to s. 18(2) of the PCCA, 2005, was issued against Mountains System Corporation o/a Mountains Institute of Technology Canada.

On March 24, 2010, a Restraining Order was issued against Mountains in regard to its advertising on its website. Mountains was ordered to immediately confirm that it had ceased advertising.

In contravention of its Immediate Suspension and Revocation Order and in contravention of the Restraining Order, Mountains' website advertises that it is a registered private career college and that it specializes in vocational programs.

Act, s. 11 – Restrictions on advertising and soliciting (\$1,000 per day)

On March 21, 2010, and again on March 29, 2010, Ministry staff reviewed the website of Mountains Institute of Technology Canada www.mountainscollege.com. The website advertises that Mountains is a registered private career college offering vocational programs.

The screenshot shows a Microsoft Internet Explorer browser window displaying the website for Mountains Institute of Technology Canada. The address bar shows the URL <http://www.mountainscollege.com/Aboutmitc.htm>. The website header includes the MITC logo and a list of programs: PowerIT, MCP Program, Language Centre, Pre-Master, and Multimedia Studio. A navigation menu contains links for About MITC, Admission, Programs, Student Service, Contact Us, and Home. The main content area features a large heading "MOUNTAINS INSTITUTE OF TECHNOLOGY CANADA" followed by a paragraph stating that MITC is a registered private career college under the Private Career Colleges Act, 2005. Below this is a section titled "PROGRAMS, COURSES AND LEGISLATION" with another paragraph describing MITC as a regulated institution specializing in various technology-driven fields. A sidebar on the right contains a "Welcome to our New Markham Campus!" message and contact information: TEL: 905-415-9989, FAX: 905-513-0203, and info@powernetwork.com. The Windows taskbar at the bottom shows the system tray with the date 29/03/2010 and time 1:15 PM.

Failure to comply with the Order of the Superintendent made under s. 46 of the Act (\$1,000 per day)

On March 24, 2010 Mountains was served with an [Order](#) of the Superintendent issued under s. 46 of the Act which required it to immediately stop operating in contravention of the *Private Career Colleges Act, 2005*. This Order required Mountains to shut down their website as previously described.

By continuing to advertise as outlined in this Notice, Mountains has failed to comply with both Orders.