

RESTRAINING ORDER

Served by email (petsngroom@yahoo.com), fax (905) 335-5744 and by courier

April 23, 2010

Nabil Arafat and Eda Vander Veen
1190640 Ontario Inc. known as Pets 'N' Groom
2501 Guelph Ln
Burlington, ON L7M 2A3

And

571 Dundas Street East
RR #1 Waterdown, ON L0R 2H0

Attention: Nabil Arafat and Eda Vander Veen

This is a **Restraining Order** issued under the authority of section 46 of the Private Career Colleges Act, 2005 (PCCA, 2005). As the Superintendent of Private Career Colleges, I HEREBY ORDER 1190640 ONTARIO INC. KNOWN AS PETS 'N' GROOM ("PETS 'N' GROOM") TO STOP OPERATING IN CONTRAVENTION OF THE PRIVATE CAREER COLLEGES ACT, 2005 (PCCA, 2005).

The detailed reasons supporting my order are set out in Schedule A, attached. In brief, Pets 'N' Groom is:

- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively.

Pets 'N' Groom must provide written confirmation signed by a person with authority to bind the school, together with all available supporting evidence, that the steps outlined below have been taken. This written confirmation must be delivered **immediately** by registered mail or courier to my attention and confirm that Pets 'N' Groom:

- has stopped advertising an unregistered Private Career College and unapproved vocational programs that require approval.

If Pets 'N' Groom is currently operating an unregistered Private Career College, these actions would be contrary to sections 7 and 8 of the PCCA, 2005 respectively. Pets 'N' Groom would then be required to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, Pets 'N' Groom:

- must stop operating an unregistered Private Career College;
- must stop providing unapproved vocational programs that require approval;
- must stop enrolling students into unapproved vocational programs that require approval;
- must provide the ministry with a list including the names and addresses of all current and former students;
- must provide full refunds to students who request refunds who were enrolled in unapproved vocational programs that require approval;
- must not hold, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs that require approval;
- must hold student files to be available for the Superintendent's staff to review; and
- must not reopen as a Private Career College until such time, if any, as it has been registered.

Consequences of Failure to Comply with this Order

Failure to comply with this order may result in any or all of the following actions by the Superintendent:

1. Application for a court order from the Superior Court of Justice to Pets 'N' Groom to comply;
2. The issuance of further Administrative Monetary Penalties.
3. Prosecution for offences under the Act. Upon conviction by a court of that offence, a corporation is subject to a fine of up to \$100,000; an individual, including an officer or director of a corporation who concurs in the commission of the offence, is subject to a fine of up to \$25,000, a prison term of up to one year, or both.

Obtaining a Copy of the PCCA, 2005

As noted above, the applicable legislation is the *Private Career Colleges Act, 2005* and the regulations made thereunder. The legislation and regulations are available at www.e-laws.gov.on.ca. If you are unable to access any relevant information on e-laws, you may contact our offices at (416) 314-0500 to request that a copy of the legislation and regulations be sent to you.

Sincerely,

ORIGINAL SIGNED BY

Allan Scott
Superintendent
Private Career Colleges

Attachments: Schedule A – Detailed Reasons for Decision

Schedule A – Detailed Reasons for Decision

Contravention of section 11 of the PCCA, 2005 – Advertising Unregistered Private Career College and Unapproved Programs

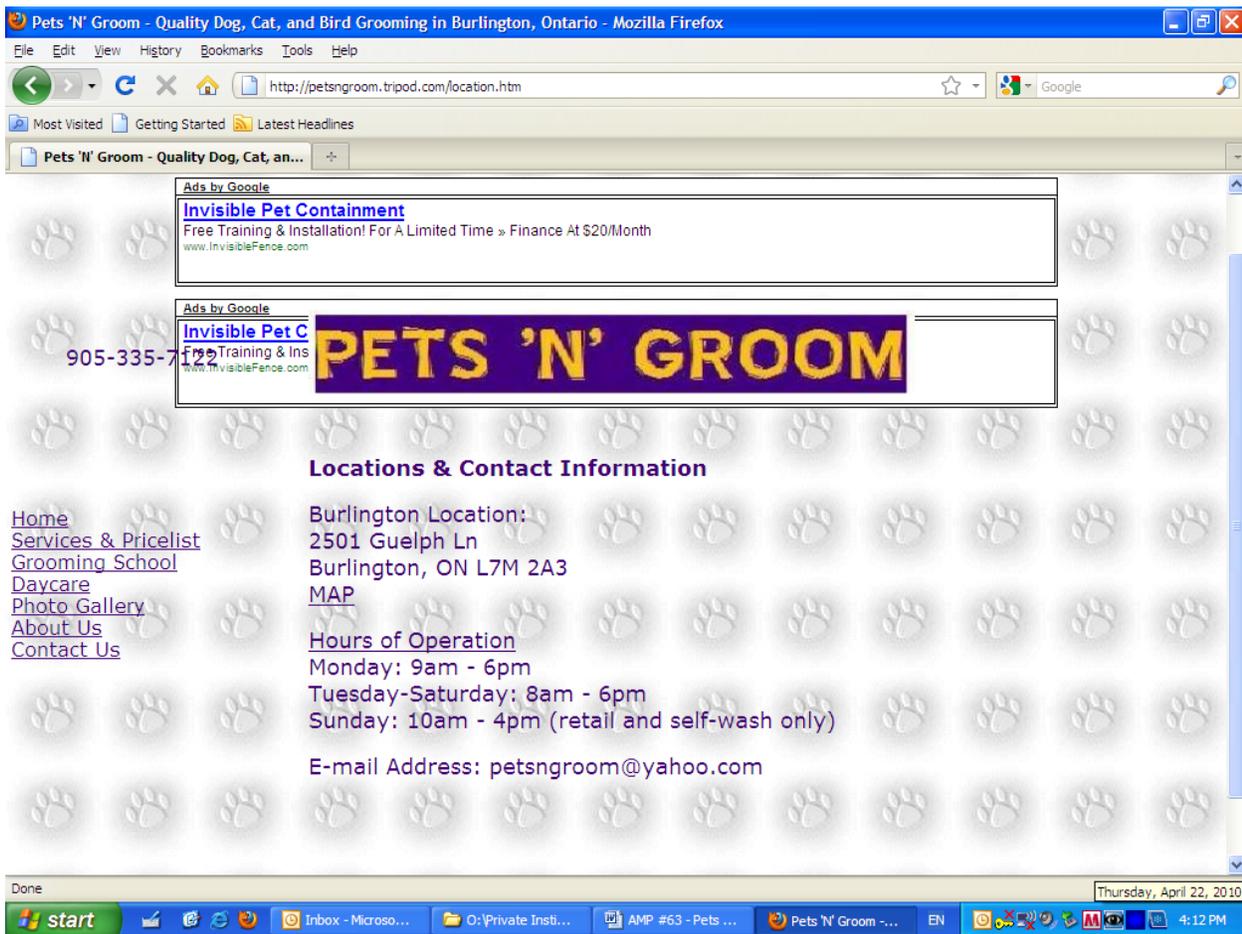
Ministry staff viewed the website (<http://petsngroom.tripod.com/school.htm>) belonging to Pets 'N' Groom on March 26, 2010.

The website belonging to Pets 'N' Groom bears the school's name, advertises a full grooming course at the school, provides an address (2501 Guelph Ln, Burlington, ON L7M 2A3) and e-mail address for inquiries, as follows:

The screenshot shows a Mozilla Firefox browser window with the address bar displaying <http://petsngroom.tripod.com/school.htm>. The page content includes:

- Advertisements for "Invisible Pet Containment" and "Pet Grooming Course".
- A large advertisement for "PETS 'N' GROOM" with the phone number 905-335-7127 and the URL groomingschools.net.
- Navigation links: Home, Services & Pricelist, Grooming School, Daycare, Photo Gallery, About Us, Contact Us.
- Section "Pet Grooming School" with sub-sections:
 - Mini Course**: Learn how to groom your own dog! Let Eda teach you the in's and out's of bathing, drying, and clipping your dog. The lessons are 2-3 hours long and are typically held weekdays starting at 6pm. \$150/lesson (private). To make arrangements please call and speak to Eda.
 - Full Grooming Course**: Want to become a professional groomer? This is the course for you! The full grooming course is an intense 3 month training program geared towards aspiring business owners. Included is \$1000 worth of grooming tools. \$6000. Speak to Eda for more details.

The Windows taskbar at the bottom shows the date as Thursday, April 22, 2010, and the time as 3:51 PM.



On April 13, 2010, Ministry staff received an email from XXXX (petsngroom@yahoo.com) of Pets 'N' Groom with an explanation of the full grooming course. XXXX's email said the following:

Hi, sorry for the late reply!

The course is a 1 on 1 course with the owner/main groomer here, Eda. If you'd like to stop by anytime you can. You sort out class time with her, but usually it's either morning or afternoon for 3 hours a day 5X week. \$6000 is the full cost (plus GST/PST/HST if applicable) With that you get \$1000 worth of grooming tools (clippers/brushes/blades/bag/book). You do get a certificate at the end saying you completed the course. There are 2 written exams, but most of the work you will be doing is actual grooming on dogs that come into the salon (we do about 30Xday - it is a very busy salon). Most of the students that take the course either start up their own shop after the course, or work with us for a couple months as a bather/rough groomer to get more experience. If you need to know anything else please call and talk to Eda, she would have more information! 905-335-7122

XXXX
Pets N Groom

Using the telephone number (905-335-7122) found on the above-referenced website and in XXXX's email, on April 22, 2010 at 12:32 p.m., Ministry staff telephoned Pets 'N' Groom and spoke to XXXX, who identified herself as an employee. XXXX

confirmed that the professional course is offered by the owner, Eda at a cost of \$6,000, it is three months long and consists of 3 hours per day/5 days per week and students get a certificate. XXXX specified that there is no classroom setting and that the course is privately run by Eda. Students can arrange their class schedule with Eda. The course has a curriculum, mid-term and final examination. XXXX stated that typically, half of the course fees are paid upfront, with the remaining half paid half-way through the course.

Based on this information, the full grooming course would consist of approximately 180 hours, and would, therefore, fit the definition of vocational programs according to the PCCA, 2005. Pet grooming courses correspond to National Occupational Classification (NOC) code 6483 Pet Groomers and Animal Care Workers.

Therefore the school is contravening the PCCA, 2005 by advertising an unapproved vocational program and thereby advertising itself as a Private Career College.

BACKGROUND:

Ministry staff viewed the website (<http://petsngroom.tripod.com/school.htm>) belonging to Pets 'N' Groom on March 26, 2010.

Legal and Operating Entities

An ONBIS search shows that 1190640 Ontario Inc. is registered as an Ontario corporation. The corporate address is 2501 Guelph Ln, Burlington, ON L7M 2A3. Nabil Arafat and Eda Vander Veen are listed as Directors of the corporation. From August 30, 1996 to August 29, 2001, Pets N Groom was the registered business name. Although the business name has expired, the business is known as Pets 'N' Groom. The business description is "pet food and supplies."