

RESTRAINING ORDER

Served by courier

May 5, 2010

Stik-Man Logistics 05 Inc.
295 Arnold Street
Kitchener Ontario
N2H 6E8

Attention: Peter Mosher, President

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 Stik-Man Logistics 05 Inc. (Stik-Man Logistics) 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, Stik-Man Logistics is:

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

Stik-Man Logistics 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 Stik-Man Logistics:

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

If Stik-Man Logistics is currently providing unapproved vocational programs as an unregistered Private Career College, these actions would be contrary to sections 7 and 8 of the PCCA, 2005 respectively. Stik-Man Logistics would then be required to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, Stik-Man Logistics:

- must stop operating as a private career college;
- must stop providing unapproved vocational programs that require approval;

- must stop charging fees for unapproved vocational programs that require approval;
- must provide the ministry with a list including the names and addresses of all current students;
- must provide refunds to students who have made a written demand and 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 Stik-Man Logistics 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

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

On April 13, 2010, an online classified ad belonging to Stik-Man Logistics, <http://waterlooregion.yourclassifieds.ca/ads/view/6239542>, was reviewed by Ministry staff who found it advertising a Transport Driver Training course. The website did not list a price or the number of hours, but it did provide a phone number: 519-748-7440. The website also stated that this advertisement appeared in the Waterloo Region Record newspaper.

On April 13, 2010, Ministry staff phoned 519-748-7440 and spoke with Pete Mosher about his courses. He advised that he offers both an AZ and DZ course, and that the AZ course is 45 hours in duration and costs \$3,500, with \$2,000 due at the time of the first lesson. Pete also advised that the training is held at the location of Stik-Man logistics in Kitchener, Ontario, and that there is "...minimal classroom instruction." This course corresponds to National Occupational Classification (NOC) code 7411 – Other Truck Drivers, and is thus a vocational program within the meaning of the *Private Career Colleges Act, 2005* and is required to be approved by the Superintendent pursuant to section 23 of the Act.

Since this college is not registered, and this program is not approved, advertising them is prohibited in accordance with section 11 as noted above.

TRANSPORT DRIVER TRAINING Flatbed*Van*Reefer 20 years Experience Quality

This ad appeared in : Waterloo Region Record

TRANSPORT DRIVER TRAINING Flatbed*Van*Reefer 20 years Experience Quality training at fair prices. 519-748-7440 Financing over 24/mths on approved credit

DETAILS:			
Phone Number	5197487440	Model	Van
Body Type	Minivan		

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Legal and Operating Entities

On April 19, 2010, Ministry staff conducted an ONBIS search and found that Stik-Man Logistics 05 Inc. was incorporated on May 26, 2005. Its president is Peter Mosher.

Ministry staff found another corporation named Stik-Man Logistics Inc. that also had Peter Mosher as an officer. It was incorporated on October 20, 2000, but its registration was cancelled on December 22, 2008 as the corporation defaulted on its corporate taxes.