

RESTRAINING ORDER

Served by e-mail to plants@golden.net, and courier

March 8, 2010

Dennis Plants
Truck Training Academy of Cambridge and Kitchener Inc.
o/a Truck Training Academy of Cambridge and Kitchener
4 Brown Avenue
Cambridge ON, N1R 5S3

Attention: Dennis Plants, Director

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 Truck Training Academy of Cambridge and Kitchener Inc. (Truck Training Academy) 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, Truck Training Academy is:

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

Truck Training Academy 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 Truck Training Academy:

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

If Truck Training Academy 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. Truck Training Academy would then be required to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, Truck Training Academy:

- 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 refunds to students 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 Truck Training Academy to comply;
2. The issuance of further Administrative Monetary Penalties.
3. Prosecution for the offence of failure to comply. 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.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

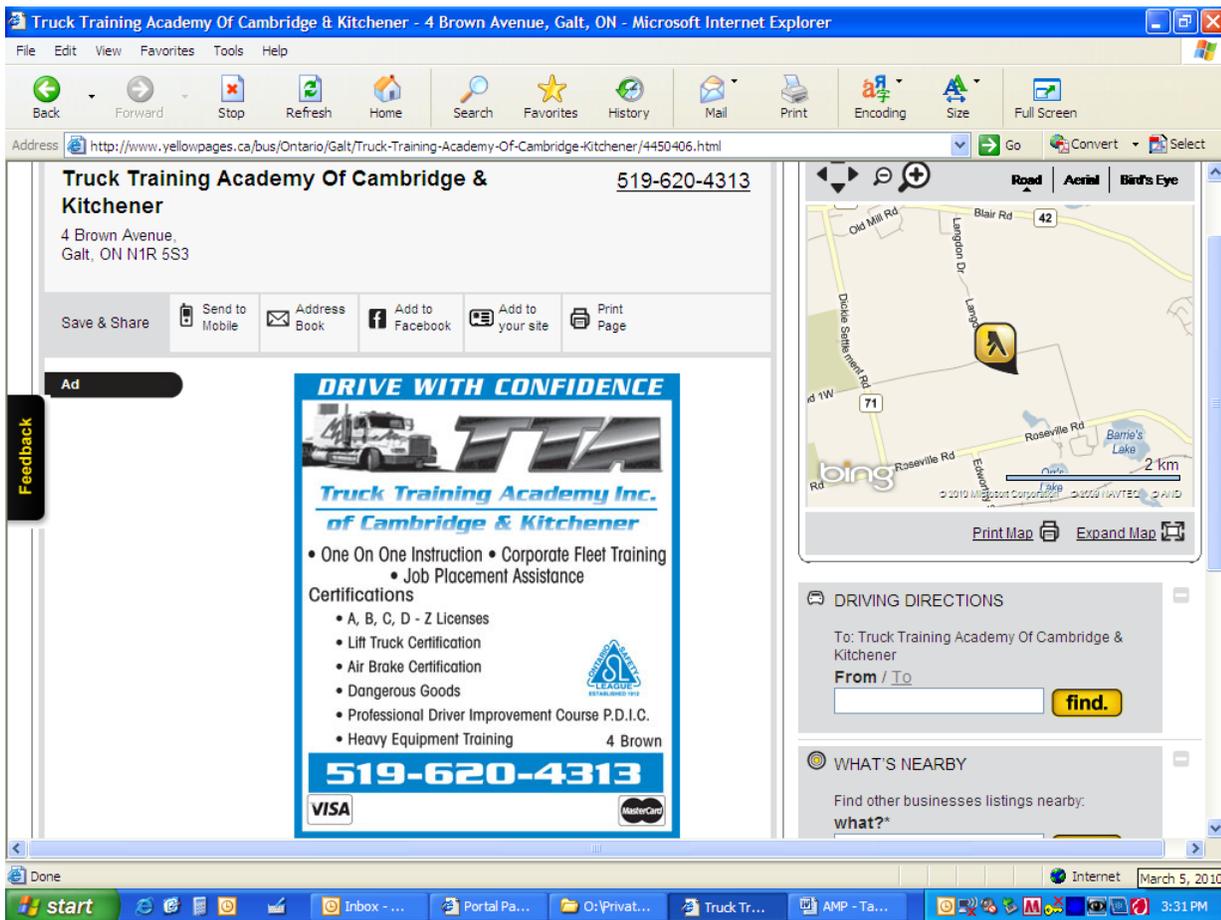
On February 24, 2010, the website, <http://www.yellowpages.ca/bus/Ontario/Galt/Truck-Training-Academy-Of-Cambridge-Kitchener/4450406.html>, was reviewed by Ministry staff who found it advertising an AZ licence training course being offered by Truck Training Academy of Kitchener and Cambridge Inc. The advertisement did not list the cost or duration of the program.

On March 3, 2010, Ministry staff contacted Truck Training Academy of Kitchener and Cambridge Inc. and spoke with Dennis. Ministry staff inquired about the cost and duration of the AZ training program. Dennis advised that the course ranges from \$3,000 and 50 hours to \$5,900 and 160 hours.

This course corresponds to National Occupational Classification (NOC) code 7411 – Truck Drivers, and is thus a vocational program within the meaning of the Act. This program, on its face, does not fit any of the exemptions from the requirement for approval as set out in section 9 of Ontario Regulation 415/06. All vocational programs that are not otherwise exempt are required to be approved by the Superintendent pursuant to section 23 of the Act.

The advertisement bears the school's name, states that an AZ training course is being offered, and provides an address, "4 Brown," and phone number for the school. The website on which the ad is posted, provides the full address of the school, 4 Brown Avenue, Galt ON, N1R 5S3.

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



BACKGROUND

On March 2, 2010, the Ministry reviewed an advertisement on the website goldbook.ca that was advertising an unregistered private career college and unapproved vocational programs.

Legal and Operating Entities

On March 3, 2010, Ministry staff conducted an ⁵ONBIS search and found that Truck Training Academy of Cambridge and Kitchener Inc. was incorporated on February 14, 2007, and has two directors; Dennis Plants and Emir Shajagic.