

Ministry of Training,  
Colleges and Universities

Office of the Superintendent

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

Bureau du Surintendant

Direction des collèges  
privés d'enseignement professionnel  
9<sup>e</sup> étage, édifice Mowat  
900, rue Bay  
Toronto ON M7A 1L2



Notice of Contravention #117

By email ([citytrucktraining@hotmail.com](mailto:citytrucktraining@hotmail.com)) and courier

December 8, 2010

1482945 Ontario Inc. known as Malwa Truck & Forklift Driving School  
7003 Steeles Avenue West Unit 9  
Etobicoke, ON M9W 0A2

and

35 Cabernet Crescent  
Toronto, ON M9V 5A3

## NOTICE OF CONTRAVENTION

This letter is to inform you, Charanjeet K. Deol and Charanjit Deol, as the Directors of 1482945 Ontario Inc. known as Malwa Truck & Forklift Driving School that on 08/12/2010, it was determined that the School 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*, the School 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:

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

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 notification 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 the invoice. 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.

ORIGINAL SIGNED BY

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Noah Morris  
Superintendent of Private Career Colleges

## Schedule "A"

### Detailed Reasons and Findings

#### **OPERATION "Brake Down"**

Pursuant to subsection 23(1) of the *Private Career Colleges Act, 2005* ("the Act"), private career colleges that offer commercial driver programs which lead to commercial driver licensing examinations, governed under the Ontario Regulation 341/94 Driver Licence Examinations of the *Highway Traffic Act*, must have the programs approved by the Superintendent of Private Career Colleges.

In response to a concern about unapproved commercial driver programs, and their potential impact on public safety, Operation "Brake Down" was launched. Its purpose was to identify illegal operators offering unapproved vocational programs that require approval under the Act and to take the necessary enforcement action against them. This institution was identified as part of this operation.

#### **Contravention of section 11 of the Act – Restrictions on Advertising and Soliciting**

On October 13, 2010, a Designate of the Superintendent of Private Career Colleges ("Designate") reviewed a Canada 411 advertisement for "Malwa Truck & Forklift Driving School" provided through a tip to the Ministry. That advertisement provides the school's name, address (7003 Steeles Ave W Unit 9, Etobicoke, ON M9W 0A2) and a contact phone number (416-289-3727).

The same day, a Designate telephoned the number listed on the Canada 411 advertisement for the school (416-289-3727) and spoke to an individual who identified herself as Sharon. Sharon confirmed that the Designate was calling "Malwa Truck & Forklift Driving School" and that the address of the school is 7003 Steeles Avenue.

Sharon advised that Malwa offers a number of AZ programs, including a 30 lesson AZ course and a 40 lesson AZ course. The 30 lesson AZ course costs \$1,399 and comprises 30 one-on-one lessons in the truck and 30 in class lessons in which students watch videos. Each lesson is 45 minutes in duration. Therefore, the 30 lesson AZ course totals 45 hours in duration.

Sharon specified that the school also offers a 40 lesson AZ course costing \$1,800 comprising of 40 one-on-one lessons in the truck and 40 in class lessons in which students watch videos. Accordingly, the 40 lesson AZ course totals 60 hours in duration.

On October 29, 2010, Designates conducted a field visit to the school at the address listed on the Canada 411 advertisement (7003 Steeles Ave W, Unit 9, Toronto) and found that the unit is occupied by City Truck & Forklift Driving School Ltd. operating as City Truck & Forklift Driving School ("City Truck"), a registered private career college. Designates spoke with Ruby, who identified herself as an employee of City Truck. Ruby advised the Designates that "Malwa" is only used on the internet, but is the same as

City Truck. She advised that Malwa was being “offered” as a separate school approximately 7-8 years ago.

During the field visit, Designates also met with Jagjeet Singh Deol, who identified himself as the owner of City Truck. Mr. Deol stated that all of the phones are paid for by City Truck. He told the Designates that no one ever calls for Malwa.

AZ training corresponds to National Occupational Classification (NOC) code 7411 – Truck Drivers.

Based on the preceding information, the 30 lesson/45 hour and 40 lesson/60 hour AZ programs at fees of \$1,399 and \$1,800, respectively, advertised by the school over the telephone fit the definition of vocational programs requiring the approval of the Superintendent according to the Act.

Since 1482945 Ontario Inc. known as Malwa Truck & Forklift Driving School is not registered and does not have the approval of the Superintendent to offer or deliver these vocational programs, advertising of same is prohibited in accordance with subsections 11(1) and (2) of the Act.