

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



Notice of Contravention #36

**Served by e-mail to yula@centrefortheways.com, and courier**

March 2, 2010

Amin Ullah Nasr  
o/a Zen Institute of Oriental Medicine  
20 Bedford Park Avenue  
Richmond Hill, Ontario, L4C 2N8

### **NOTICE OF CONTRAVENTION**

This letter is to inform you that on March 2, 2010, it was determined that you 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)
- Act, s. 7 – Prohibition against operating a private career college (\$1,000)
- Act, s. 8 (1) – Prohibition against providing vocational programs (\$1,000)

As per section 51 of *Ontario Regulation 415/06* made under the *Private Career Colleges Act, 2005*, you are subject to a penalty in the total amount of \$3,000 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 \$15,000.*

*following 15 successive days that the contravention continues the penalty amount due will be \$45,000.*

At this time you are required to provide the ministry with written confirmation of compliance with the Act. Please supply the ministry with the following documents confirming that you have come into compliance with the Act:

Written Confirmation that you:

- have stopped advertising an unregistered Private Career College and unapproved vocational programs that require approval, including removal of all references to said programs on the website <http://www.centrefortheways.com/>;
- have stopped operating as a private career college; and
- have stopped providing 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 notice of contravention 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 notice. 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.

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Allan Scott  
Superintendent of Private Career Colleges

## **Schedule A**

### **Act, s. 11 — Restrictions on advertising and soliciting**

On February 10, 2010, the website belonging to the Zen Institute of Oriental Medicine (the Zen Institute), <http://www.centrefortheways.com/>, was reviewed by Ministry staff, who found it advertising a Shiatsu program, and implied that it was 600 hours in duration. The website did not list the cost of the program.

On February 18, 2010, Ministry staff phoned the Zen Institute and spoke with Yula, who advised that the course costs around \$3,000, is 600 hours in duration, and that graduates will receive a diploma.

This course corresponds to National Occupational Classification (NOC) code 3232 – Midwives and Practitioners of Natural Healing. The vocation of shiatsu massage is specifically referenced in law as being a non-exempt program that requires approval. O.Reg. 415/06, s. 7(3) provides as follows: "Despite item 2 in the Table to subsection (2), a vocational program in the vocation of shiatsu massage is prescribed as a vocational program for the purposes of the Act and the regulations."

The website bears the school's name, states that a 600 hour shiatsu course is being offered, and provides an address, 20 Bedford Park Avenue, Richmond Hill, Ontario L4C 2N8, a local phone number, and a toll free phone number for the school.

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.

### **Act, s. 7 – Prohibition against operating a private career college**

**And**

### **Act, s. 8 (1) – Prohibition against providing vocational programs**

On February 18, 2010, Ministry staff phoned the Zen Institute and spoke with Yula. Ministry staff asked if any students were currently enrolled in the shiatsu course. Yula confirmed that there are students currently enrolled in the course, and have only three or four classes remaining until they complete the program.