

Particulars of Notice of Contravention and Review Decision

S. 49(1) *Private Career Colleges Act, 2005* (“Act”)

May 25, 2011

These particulars are posted following the issuance of an administrative penalty for which a review was requested. Penalties may be reviewed upon request within 15 days of receipt of a Notice of Contravention. The review decision is made considering not only the information originally available at the time the Notice of Contravention was issued, but also any new information not previously available that may have been supplied in support of the request for a review. On review, an administrative penalty may be upheld, rescinded or reduced. A review decision is final.

Original service date: February 14, 2011

Jagdesch Lochand a.k.a. Jack Lochand
Alpine Transport Service & Truck Driver Training Inc. known as Alpine Transport & Truck Driver Training Inc. and/or Alpine Transport Services & Truck Driver Training Inc.
53 Brando Avenue
Markham, ON L3S 4K9

and

595 Middlefield Road, Unit 10
Scarborough, ON
M1V 3S2

Description:	Original Amount:	Review Decision:
<p>Act, s. 11 - Restriction of advertising and soliciting</p> <p>On December 14, 2010, a Designate viewed the School's website http://alpinetruckdrivertraining.com/ and found it to be promoting an "AZ Tractor Trailer and DZ Straight Truck Program." A Designate also viewed advertising for the School for AZ and DZ training on Kijiji and at http://www.toronto.bizcafe.ca.</p> <p>During a telephone call with a Designate on February 3, 2011, Jack of the School advised the Designate that they offered a "full course" lasting "6 to 8 weeks" which took place everyday, Monday to Friday. Jack advised that it was a full AZ course and included dangerous goods, handling and airbrakes; that it would be about 200 hours; that they didn't take shortcuts and that students can learn properly. Jack stated that the course costs \$6,500 and told the Designate to come see the school.</p>	<p>\$1,000 per day</p>	<p>Penalty was reduced to \$500 per day for the period of February 14, 2011 - February 15, 2011 (inclusive).</p> <p>The balance of evidence available indicates that Alpine Transport Service & Truck Driver Training Inc. was advertising unapproved vocational programs. Alpine Transport Service & Truck Driver Training Inc. came into compliance on February 15, 2011.</p>

<p>Based upon that evidence, the Designate came to the reasonable belief that this School was advertising a vocational program that required approval by the Superintendent under the Act. The school had not obtained approval to offer this program and was therefore in contravention of section 11 of the Act.</p>		
<p>Act, s. 7 – Prohibition against operating a private career college</p> <p>Under section 7(2) of the Act, no person shall hold themselves out as the operator of a private career college unless the person is registered. Based on the fact that Jack” stated “We train the right way” when the Designate asked about the School’s Kijiji advertisement for AZ and DZ truck training during the February 3, 2011 telephone call, the fact that Jack confirmed the address of the business and the hours of operation during the telephone call of February 3, 2011, that in his LinkedIn profile, Jack Lochand describes himself as “Owner alpinetransportservices&truckdrivertraininginc,” that a WHOIS search of the School’s website alpinetruckdrivertraining.com reveals that Jack Lochand of Alpine Truck Driver Training Inc. at 53 Brando Avenue, Markham L3S 4K9 is the registrant and administrator of the School’s website and that the School was holding itself out as a “Driving School” on its website, this School was in contravention of section 7 of the Act.</p>	<p>\$1,000 per day</p>	<p>Penalty was reduced to \$500 per day for the period of February 14, 2011 - February 15, 2011 (inclusive).</p> <p>The balance of evidence available indicates that Alpine Transport Service & Truck Driver Training Inc. was operating as an unregistered private career college. Alpine Transport Service & Truck Driver Training Inc. came into compliance on February 15, 2011.</p>
<p>Total:</p>		<p>\$2,000</p>