

COMPLIANCE ORDER

Served By Email: (mariomallia@rogers.com), Fax (905-856-5094) and by Courier

April 21, 2011

Mary Barbarino and Josie Mallia, Directors
Barbarino's Hair Styling School Inc. known as Barbarino's Hairstyling School Inc.
7007 Islington Avenue, Unit 18-19
Woodbridge, ON L4L 4T5

and

37 Giltspur Drive
Downsview, ON M3L 1M4

and

350 Rebecca Drive
Orangeville, ON L9W 4P6

Attention: Mary Barbarino and Josie Mallia, Directors

This is a Compliance Order issued under s. 46(2) of the *Private Career Colleges Act, 2005* ("Act"). As the Superintendent of Private Career Colleges, I believe that Barbarino's Hair Styling School Inc. known as Barbarino's Hairstyling School Inc. ("Registrant"), a registered private career college, has contravened or failed to comply with a provision of the Act or regulations. I order that the Registrant stop contravening the following provisions of the Act and/or regulations:

- Advertising an unapproved vocational program that requires approval, in contravention of section 11 of the Act.

Detailed reasons in support of my decision to issue this order are found in Schedule "A", attached. Failure to comply with this order may result in any or all of the following, further enforcement actions:

- Application for an order from the Superior Court of Justice;
- The issuance of further Administrative Monetary Penalties; and/or

- Prosecution for offences under the Act. Upon conviction by a court,
 - A corporation is subject to a fine of up to \$250,000;
 - An individual is subject to a fine of up to \$100,000, a prison term of up to one year, or both; and
 - 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.

You must provide written confirmation signed by a person with authority to bind the Registrant, together with all available supporting evidence, that the steps outlined below have been taken. This written confirmation must be delivered by **April 29, 2011** by registered mail or courier to my attention and confirm that you:

- Have stopped advertising an unapproved vocational program that requires approval.

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. You are also reminded that pursuant to s. 39 of O.Reg. 415/06, you are required to keep an up-to-date copy of the Act and all regulations at each campus.

Pursuant to sections 49(2) and 49(6) of the Act, this order is published on the Ministry of Training, Colleges and Universities' website.

Kindly govern yourself accordingly,

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 Act - Restrictions on advertising and soliciting

Under section 11 of the Act, no person shall advertise the provision of a vocational program at a private career college unless the person is registered and the vocational program has been approved by the Superintendent.

This School was issued a warning letter by the Private Career Colleges Branch on December 15, 2010 and was sent several emails between August 2010 and April 2011 from their Inspector and the Manager of the Registration Unit advising that the School's advertising of a Part-time Hairstyling program was in contravention of the Act and that the program did not have the approval of the Superintendent.

As of April 18, 2011, the School continued to advertise the unapproved 20 month/1500 hour Part-time Hairstyling program on its website (www.barbarinoshair.yk.ca). The website provides the program is delivered on Tuesday, Wednesday and Thursday evenings from 6:00 p.m. to 10:00 p.m. and on Saturdays from 9:00 a.m. to 4:30 p.m. at a cost of \$5,875, as follows:

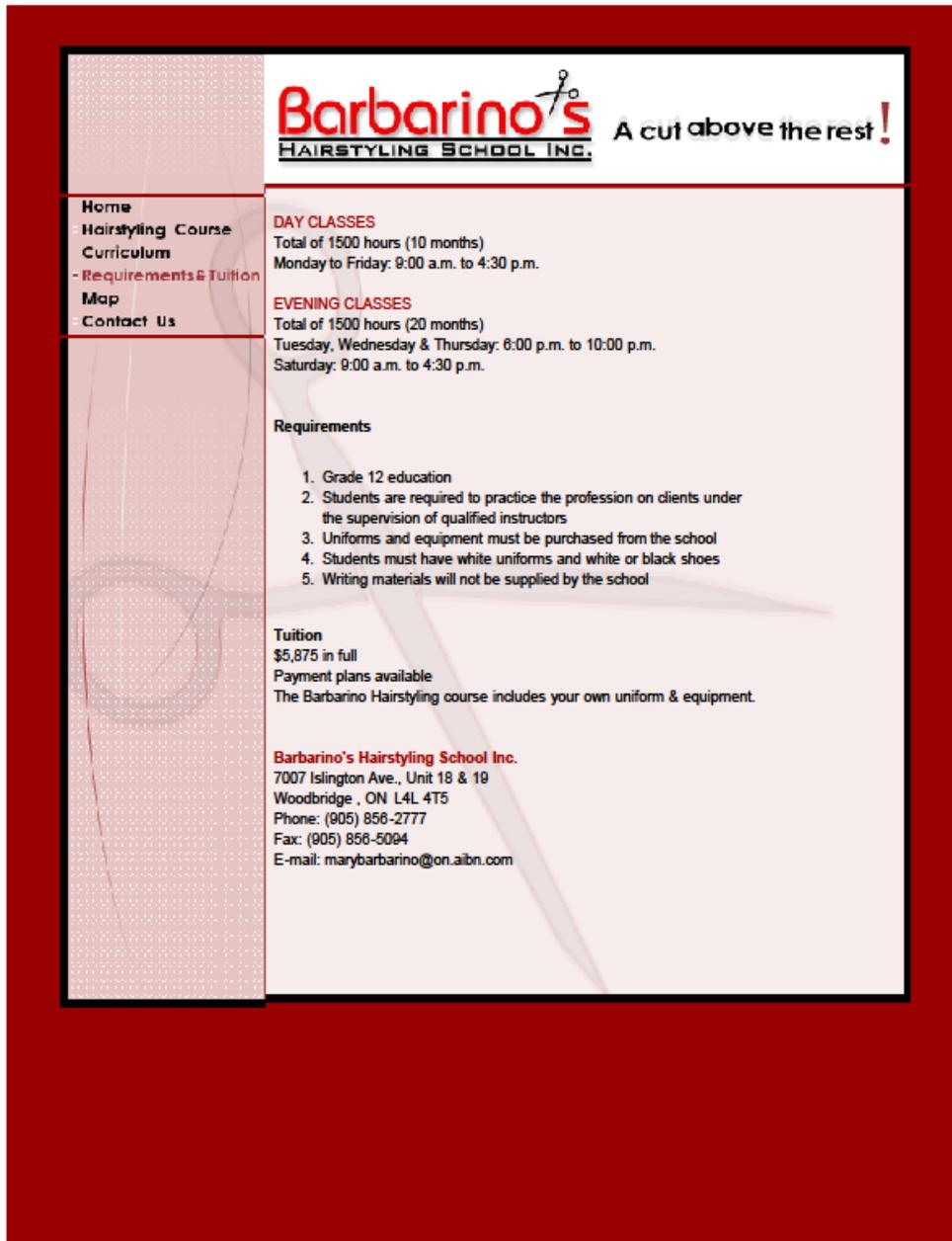
Barbarino's Hairstyling School Inc. - Hairstylists, Schools-Hairdressing & Esthetics

Barbarino's  **A cut above the rest!**
HAIRSTYLING SCHOOL INC.

- Home
- Hairstyling Course
- Curriculum
- Requirements & Tuition
- Map
- Contact Us

- Qualified Instructors
- Sophisticated Training Facilities
- Excellent Training Environment
- Diploma Course
- Advanced Certificate Classes
- Upgrading (Certificate) in Hair Colouring/Slicing/Weaving, Hair Cutting
- Day & Evening Classes
- Salon Services

Barbarino's Hairstyling School Inc.
7007 Islington Ave., Unit 18 & 19
Woodbridge, ON L4L 4T5
Phone: (905) 856-2777
Fax: (905) 856-5094
E-mail: marybarbarino@on.aibn.com

A screenshot of a website advertisement for Barbarino's Hairstyling School Inc. The page has a red border and a light background with a faint image of a woman's face and hair. The top right features the school's logo, "Barbarino's HAIRSTYLING SCHOOL INC." with a scissors icon, and the slogan "A cut above the rest!". A left sidebar contains navigation links: Home, Hairstyling Course Curriculum, Requirements & Tuition, Map, and Contact Us. The main content area is divided into sections for Day Classes, Evening Classes, Requirements, and Tuition. The Requirements section lists five items: Grade 12 education, supervision by instructors, school-purchased uniforms and equipment, white uniforms and shoes, and no school-supplied writing materials. The Tuition section states a cost of \$5,875 in full with payment plans available, and notes that the course includes uniforms and equipment. Contact information for Barbarino's Hairstyling School Inc. is provided at the bottom, including the address (7007 Islington Ave., Unit 18 & 19, Woodbridge, ON L4L 4T5), phone (905) 856-2777, fax (905) 856-5004, and email marybarbarino@on.aibn.com.

Barbarino's HAIRSTYLING SCHOOL INC. A cut above the rest!

Home
- **Hairstyling Course Curriculum**
- **Requirements & Tuition**
Map
- **Contact Us**

DAY CLASSES
Total of 1500 hours (10 months)
Monday to Friday: 9:00 a.m. to 4:30 p.m.

EVENING CLASSES
Total of 1500 hours (20 months)
Tuesday, Wednesday & Thursday: 6:00 p.m. to 10:00 p.m.
Saturday: 9:00 a.m. to 4:30 p.m.

Requirements

1. Grade 12 education
2. Students are required to practice the profession on clients under the supervision of qualified instructors
3. Uniforms and equipment must be purchased from the school
4. Students must have white uniforms and white or black shoes
5. Writing materials will not be supplied by the school

Tuition
\$5,875 in full
Payment plans available
The Barbarino Hairstyling course includes your own uniform & equipment.

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<http://www.barbarinohair.yip.ca/requirements.html>[04/18/2011 1:38:22 PM]

A web advertisement in the Toronto Directory of Hair & Styling: Education & Science Barbarino's Hairstyling School viewed by a Designate on the Toronto.net (www.toronto.net/) website on April 18, 2011 also advertises hairstyling courses with evening classes for this School, as follows:

 **Toronto.Net**
GTA Search and Directory — Web Site Detailed Information

Submit Site
Sign In
Preferences
Help

Toronto Directory > Education & Science > Hair & Styling

[Get an Esthetics Diploma](#) Classes starting soon Call for more info - 416-492-8740 [www.salonpacollege.com](#)
[Top Canadian University](#) Earn Your Degree Or Cert. Online Or On Campus @ Royal Roads In Victoria [RoyalRoads.ca...](#)
[Newmarket Beauty School](#) Train For a Job In The Beauty Industry. Sign Up For Courses Now. [VisionsHairEstheticsAc...](#)

 As by Google

Web Site Information

Barbarino's Hairstyling School

Barbarino's Hairstyling School provides hairstyling courses with day or evening classes, as well as courses in makeup, facial care, and nail technicianship.

Mail Address: 7007 Islington Ave., Unit 18 B, 19
L4L 4T5
[\[map X\]](#)

Telephone: +1 (905) 856-2777
FAX: +1 (905) 856-5094

Web: <http://www.barbarinoshair.yo.ca/>
E-mail: marybarbarino@on.a1bn.com

[Cached Version](#) | [Page History](#)

As by Google

Beauty Schools In Toronto
Esthetics, Nails, Fashion & Makeup Classes Starting. Request Catalog. [info.Everest.ca](#)

Hair Stylist Training
Hair Stylist Training Program Jumpstart your Hairstyling Career!
[www.avedainstitute...](#)

Become a Hair Stylist
Find a Hair Stylist School Near You & Get Enrollment Info to Start!
[www.BeautySchool...](#)

Careers in Hair & Beauty
Study at Blanche MacDonald Award Winning Beauty School
[BlancheMacdonald...](#)

[Toronto Esthetics School](#) Start Your Beauty Career. Enroll In Our Institute Of Esthetics!
[DonatoAcademy.com](#)
[Beauty School](#) Hairdressing & Make-Up School. Get More Info Now; 604-967-6125!
[www.ValleSchoolOfBeauty.ca](#)
[Universal Hair Academy](#) School Of Hairstyling & Aesthetics Kick Start Your Career Today!
[www.universalsacademy.ca](#)
[Hair Academy](#) Become A Hair Stylist. Call Our Hair Academy Today At 888-358-5502.
[www.UnistituDonRaymond.ca](#)

 As by Google

The above noted Part-time Hairstyling program is classified under National Occupational Classification Code (NOC) 6271 – Hairstylists and Barbers. This program requires approval under the Act.

Based upon the evidence obtained, specifically that this unapproved Part-time Hairstyling program is over 40 hours in duration at a cost over \$1,000, the Designate came to the reasonable belief that this School is advertising an unapproved vocational program that requires approval by the Superintendent under the Act. The School has not obtained approval to offer this program and is therefore in contravention of section 11 of the Act.

Background:

Legal and Operating Names

An ONBIS search conducted on April 18, 2011 shows that Barbarino's Hair Styling School Inc. is an active Ontario business corporation which was incorporated on April 6, 1994. The registered office address and business address is 7007 Islington Avenue, Unit 18-19, Woodbridge, ON L4L 4T5. Business names do not exist for this corporation. Mary Barbarino is listed as one of the Directors at 37 Giltspur Drive, Downsview, ON M3L 1M4. Josie Mallia is listed as the other Director at 350 Rebecca Drive, Orangeville, ON L9W 4P6.

Current Registration Information

This School was registered as a private career college on January 2, 2000. The School has the approval of the Superintendent to deliver a full time 40 week/1500 hour Hairstyling program for \$5,200 tuition plus \$675 in other fees.

PRIOR COMPLIANCE WARNINGS HAD NO EFFECT

This compliance matter was brought to the attention of the School's Inspector as a result of a student complaint, whereby the student had enrolled in a Full-time Hairstyling Program offered as a "night class" from 6:00 p.m. to 10:00 p.m.

Between August 2010 and April 2011, this School was advised on numerous occasions by their Inspector that it could not advertise or deliver the Part-time Hairstyling program until the application was approved under the Act, that it was non-compliance under the Act if they continued to do so and that a failure to remove the advertising would be reported to the Superintendent.

This compliance matter was then escalated to the Manager of the Registration Unit of the Private Career Colleges Branch, who emailed Mrs. Barbarino on March 9, 2011 about "...a long outstanding compliance issue: the offering and advertising of an unapproved part-time hairstyling program." The Manager stated:

...As recently as yesterday a check of your website shows you are still clearly advertising the program despite being told to stop doing so - this can no longer be considered anything except wilful non-compliance with the Private Career Colleges Act, 2005...

If you do not remove your advertising and provide us confirmation that you have done so - along with an assurance that you will NOT enrol any more students into the part-time program, you will be subject to compliance actions that may include an Administrative Monetary Penalty and a Compliance Order. You have until the end of business on Friday March 11th to do so.

Further, on April 1, 2011, the School's Inspector told the School:

The most important compliance issue is to stop advertising the Part time Hairstyling program option on the website as this is a violation of the Private

Career Colleges Act to advertize [sic] a vocational program that is not approved by the Superintendent.

Notwithstanding all of these warnings from the Ministry, the School continues to advertise an unapproved Part-Time Hairstyling program in contravention of section 11 of the Act.