

RESTRAINING ORDER

Served by fax to 61 3 9011 1661 and courier

April 14, 2010

Brandon Raynor
Brandon Raynor's School of Natural Therapies Pty Ltd.
o/a Brandon Raynor's School of Natural Therapies
CC/- Tharnar Singh
36 Elouera Terrace
Bray Park NSW 2484

And

Operating at Rhythm and Motion Studio
3352 Dundas St West
Toronto, ON M6P 2A4

And

45 Oxford St.
Bondi Junction, NSW 2022
02 9387 1108

And

84 - 760 Upena St.
Waianae, HI 96792

Attention: Brandon Raynor, 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 Brandon Raynor's School of Natural Therapies Pty Ltd. (Brandon Raynor's School of Natural Therapies) 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, Brandon Raynor's School of Natural Therapies is:

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

Brandon Raynor's School of Natural Therapies 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 Brandon Raynor's School of Natural Therapies:

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

If Brandon Raynor's School of Natural Therapies 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. Brandon Raynor's School of Natural Therapies would then be required to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, Brandon Raynor's School of Natural Therapies:

- 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 Brandon Raynor's School of Natural Therapies to comply;
2. The issuance of further Administrative Monetary Penalties;
3. Prosecution for offences under the Act. 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.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.

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 April 13, 2010, the website belonging to Brandon Raynor's School of Natural Therapies, <http://www.brandonraynor.com>, was reviewed by Ministry staff who found it advertising both certificate and diploma courses in Raynor Massage Therapy. The certificate courses were advertised as being five days in duration, for eight hours per day (8am-4pm) and costing between \$1,595 and \$1,795. The diploma courses were advertised as being ten days in duration for eight hours per day (8am-4pm) and costing between \$2,595 and \$2,795.

These courses correspond to National Occupational Classification (NOC) code 3235 – Other Technical Occupations in Therapy and Assessment and are thus vocational programs within the meaning of the Private Career Colleges Act, 2005 and are required to be approved by the Superintendent pursuant to section 23 of the Act.

This website contains a description of the content of both the certificate and diploma courses, and provides a schedule for the courses' availability in the Toronto location for the year 2010. It states that the first five days of the diploma course are the same as the certificate program. It promotes these courses by stating that "After completing our massage course in any location within Canada, you will be qualified as a massage professional and you will be able to get professional indemnity and malpractice insurance." Further, when describing the five day certificate program, the site states that the certificate "...is enough to allow you to practice massage professionally in some countries, including... Canada..."

The website also bears the school's name, states that Raynor massage therapy certificates and diplomas are being offered by the school, and provides a Toronto address at which the course will be delivered: Rhythm and Motion Studio, 3352 Dundas St West., Toronto, ON M6P 2A4. The site also lists addresses for the school's offices in Australia and Hawaii, two contact phone numbers, and contains an option to contact the school via an e-mail sent through the site.

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



OTHER PROGRAMS

During the course of the investigation, Ministry staff found Brandon Raynor's School of Natural Therapies to be offering an Advanced Diploma Raynor Massage Therapy program in Ottawa. This program is advertised as being 38 hours in duration and thereby appears to be exempt from the legislated requirement for approval. The content and cost of the program, however, make it appear to be vocational. If the duration of this course were discovered to be 40 hours or greater, it would therefore also require approval.

BACKGROUND

On April 7, 2010, Ministry staff received a complaint about the operations of Brandon Raynor's School of Natural Therapies and subsequently began an investigation.

Legal and Operating Entities

On April 13, 2010, Ministry staff conducted a corporate search through the Australian Securities & Investments Commission and found that Brandon Raynor's School of Natural Therapies Pty Ltd. was registered in Australia on September 21, 2006.