

Ministry of Training,  
Colleges and Universities  
Office of the Superintendent  
Private Career Colleges Branch  
77 Wellesley Street West  
Box 977  
Toronto ON M7A 1N3

Ministère de la Formation  
et des Collèges et Universités  
Bureau du Surintendant  
Direction des collèges  
privés d'enseignement professionnel  
77, rue Wellesley Ouest  
Boîte 977  
Toronto ON M7A 1N3



## Particulars of Notice of Contravention and Review Decision

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

April 16, 2014

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 On review, an administrative penalty may be upheld, rescinded or reduced.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: August 12, 2013

Durham Truck & Forklift Driving School Ltd.  
256-1099 Kingston Road  
Pickering, ON L1V 1B5

Description:	Original Amount:	Review Decision:
<p>Act, s. 11 — Restrictions on advertising and soliciting</p> <p>A designate of the Superintendent of Private Career Colleges (the “designate”) reviewed the website (<a href="http://www.durhamtrucktraining.com">www.durhamtrucktraining.com</a>) of Durham Truck &amp; Forklift Driving School Ltd. (the “school”). This website included statements that the school was registered as a private career college (“PCC”) under the Act; that the school was “certified and ministry approved” under the Act; and that the school’s tractor-trailer driver (“AZ”) training program was approved as a vocational program under the Act.</p>	<p>\$1,000</p>	<p>One-time penalty of \$1,000 is rescinded.</p> <p>While the balance of the evidence indicates that the school was advertising an unregistered PCC and an unapproved vocational program on July 8, 2013, evidence indicates that the school confirmed compliance on July 18, 2013, prior to the issuance of Notice of Contravention 2013-090, after being contacted by the Ministry of Training, Colleges and Universities (the “ministry”).</p> <p>Original penalty: \$1,000 Penalty following review: \$0</p>

Description:	Original Amount:	Review Decision:
These statements were false.		
<p>Act, s. 7 (2) — Prohibition against holding oneself out as the operator of a PCC</p> <p>The designate reviewed the website (<a href="http://www.durhamtrucktraining.com">www.durhamtrucktraining.com</a>) of the school. This website included a statement that the school was registered as a PCC under the Act.</p> <p>This statement was false.</p>	\$1,000	<p>One-time penalty of \$1,000 is rescinded.</p> <p>While the balance of the evidence indicates that the school was holding itself out as a registered PCC on July 8, 2013, evidence indicates that the school confirmed compliance on July 18, 2013, prior to the issuance of Notice of Contravention 2013-090, after being contacted by the ministry.</p> <p>Original penalty: \$1,000 Penalty following review: \$0</p>
<p>Act, s. 8 (1) — Prohibition against providing vocational programs</p> <p>The designate, posing as a prospective student, called the school to inquire about its AZ training program. The school told the designate that it charged \$1,250 for the training. (AZ programs less than \$1,000 are exempt from approval under the Act.)</p>	\$1,000	<p>One-time penalty of \$1,000 is rescinded.</p> <p>While the balance of the evidence indicates that the school was offering an unapproved vocational program on July 10, 2013, evidence indicates that the school confirmed compliance on July 18, 2013, prior to the issuance of Notice of Contravention 2013-090, after being contacted by the ministry.</p> <p>Original penalty: \$1,000 Penalty following review: \$0</p>
Total original penalties: \$3,000		Total penalties following review: \$0