

## RESTRAINING ORDER

**Served by email (crazyaboutdogs98@rogers.com) and by courier**

May 6, 2010

Cheryl Anne Hickox known as Gone with the Dogs  
2 Glenabbey Drive #10  
Courtice, ON L1E 1C1

and

2005 Highway #2  
Bowmanville, ON L1C 3K7

Attention: Cheryl Anne Hickox

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 CHERYL ANNE HICKOX 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, you are:

- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively;
- operating as an unregistered private career college, contrary to section 7 of the PCCA, 2005;
- offering vocational programs that are not approved by the Superintendent of Private Career Colleges, contrary to section 8 of the PCCA, 2005; and
- charging fees for an unregistered private career college and unapproved programs, contrary to section 9 of the PCCA, 2005.

You 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 you:

- have stopped advertising an unregistered Private Career College;

- have stopped operating as a private career college;
- have stopped providing unapproved vocational programs that require approval;
- have stopped charging fees for unapproved vocational programs that require approval;
- have provided the ministry with a list including the names and addresses of all current students;
- have provided full refunds to students who requested refunds in writing and were enrolled in unapproved vocational programs that require approval;
- are not holding, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs that require approval;
- are holding student files to be available for the Superintendent's staff to review; and
- will 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 you 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 <http://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 22, 2010, the Ministry received a tip from a member of the public that Gone with the Dogs in Courtice, Ontario was offering grooming training. The individual provided a link to the school's yellow pages.ca online advertisement for grooming courses.

Ministry staff viewed the yellow pages.ca advertisement on April 22, 2010, which offers “grooming courses”, as follows:



What? \_\_\_\_\_ Where? \_\_\_\_\_ Find Other Searches

Home > Canada > Gone With The Dogs

**Gone With The Dogs**  
2 Glenabbey Dr,  
Courtice, ON L1E 1C1

905-404-8746



Print | Send to a friend | Send to mobile | Add to address book | Facebook | Twitter | Share

Be the first to review

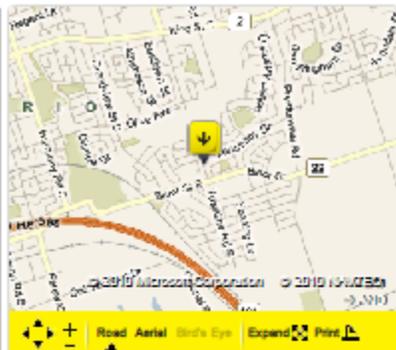
Ad

**Gone With The Dogs**  
**PET GROOMING**  
**PET FOOD & SUPPLIES**  
 GROOMING COURSES AVAILABLE  
 • All Natural Pet Food  
 • Pet Clothing  
 • Pet Accessories  
 EARLY COMMUTER DROP OFF  
 AFTER WORK PICKUPS  
 (905) 404-TRIM (8746)  
 2 Glenabbey Dr Courtice ON Unit 9

Enlarge

Business Details

- |   |           |
|---|-----------|
| Category                                    | Directory |
| Pet Grooming-Clipping & Washing             | Oshawa    |
| Pet Grooming-Clipping & Washing in ON       |           |
| Pet Grooming-Clipping & Washing in Courtice |           |
| Pet Foods & Supplies-Retail                 |           |
| Pet Foods & Supplies-Retail in ON           |           |
| Pet Foods & Supplies-Retail in Courtice     |           |



Driving Directions

To: Gone With The Dogs  
From

Find

What's Nearby

Find other businesses listings nearby:  
What?

Find



What? \_\_\_\_\_ Where? \_\_\_\_\_ Find Other Searches

http://www.yellowpages.ca/bus/Ontario/Courtice/Gone-With-The-Dogs/703012.html?radid=14590762aa&KAC-KSP640181656(05/04/2010 1:50:31 PM)

On April 29, 2010, Cheryl Hickox, the sole proprietor running the business known as Gone with the Dogs, met with Superintendent's designates in the parking lot of Gone with the Dogs, located at 2 Glenabbey Drive #10 in Courtice Ontario.

Ms. Hickox admitted to the Superintendent's designates that she offers instruction in grooming. Ms. Hickox specified that the grooming course is not structured like at a normal school, but that the students set the hours. Ms. Hickox said that it would take a

dedicated person coming between 9:00 a.m. and 5:00 p.m. Monday to Friday to finish the course in four months. Ms. Hickox told the designates that her current student was charged \$4,000 for the course, but had only paid \$2,000 up front.

On April 29, 2010, the Superintendent's designates interviewed a current student of Gone with the Dogs. The student was present inside Gone with the Dogs when the designates arrived. The student advised the designates that the grooming course is 1000 hours in length and cost her \$4,000.

Subsequent to the visit by the Superintendent's designates, Ms. Hickox provided the Ministry with copies of the two identical student contracts for Gone with the Dogs. The student contracts specify that the total cost of the course is \$4,000 with an initial down payment of \$2,000 and that the course is 1000 hours in duration. The contract states: "I understand to complete the course in 5 months I am required to put in 40 hours a week."

Based on the information provided about the cost and length of the grooming course, the course fits the definition of vocational programs according to the PCCA, 2005 and corresponds to National Occupational Classification (NOC) code 6483 Pet Groomers and Animal Care Workers. Therefore, the groomer course requires the approval of the Superintendent of Private Career Colleges to be advertised as a vocational program.

#### **Contravention of section 7 of the PCCA, 2005 - Prohibition against operating a private career college**

**and**

#### **Contravention of section 8 of the PCCA, 2005 - Prohibition against providing vocational programs**

On April 29, 2010, Cheryl Hickox, the sole proprietor running the business known as Gone with the Dogs, met with Superintendent's designates in the parking lot outside of Gone with the Dogs, located at 2 Glenabbey Drive #10 in Courtice Ontario.

Ms. Hickox admitted to the Superintendent's designates that she offers instruction in grooming. She indicated that she normally has one student at a time. Ms. Hickox specified that the grooming course is not structured like at a normal school, but that the students set the hours. Ms. Hickox said that it would take a dedicated person coming between 9:00 a.m. and 5:00 p.m. Monday to Friday to finish the course in four months. Students sign a basic contract/application. At completion of the course, Ms. Hickox issues a certificate indicating how much education the student has received.

Ms. Hickox told the designates the following:

- Her current student was charged \$4,000 for the course, but has only paid \$2,000 upfront;
- The student is making incremental payments;
- Students can pay by visa or cheque and the current student paid using both methods; and
- The student has been with her, Ms. Hickox, for ten months and still has a couple of months left because student has an irregular schedule.

Ms. Hickox told the designates that prior to the current student, she had not taught a student for two years. However, later in the conversation, she clarified that there are two current students and that one of the students was presently inside Gone with the Dogs.

On April 29, 2010, the Superintendent's designates interviewed a current student of Gone with the Dogs. The student was present inside Gone with the Dogs when the designates arrived. The student advised the designates of the following:

- The student found out about the grooming course at Gone with the Dogs from a family member;
- The grooming course is 1000 hours in length and cost \$4,000.
- The student comes in irregularly;
- The student signed a contract;
- There is one other student being taught; and
- The student expects to receive a certificate at the end.

Subsequent to the visit by the Superintendent's designates, Ms. Hickox provided the Ministry with copies of the two identical student contracts for Gone with the Dogs. The student contracts specify start dates of December 1, 2009 and March 19, 2009, respectively. The student contracts specify that the total cost of the course is \$4,000 with an initial down payment of \$2,000 and that the course is 1000 hours in duration. The contract states: "I understand to complete the course in 5 months I am required to put in 40 hours a week." A scan of the student contract is included here:

***(IMAGE REMOVED)***

The grooming program requires the approval by the Superintendent of Private Career Colleges to be offered as a vocational program. Consequently, Gone with the Dogs is operating an unregistered private career college and offering an unapproved vocational program, in violation of sections 7 and 8 of the PCCA, 2005, respectively.

### **Contravention of section 9 of the PCCA, 2005 – Prohibition Against Charging Fee**

During the interview on April 29, 2010, Ms. Hickox told the designates that the current student was charged \$4,000 for the course, but had only paid \$2,000 up front and that the student is making incremental payments. Ms. Hickox also specified that students can pay by visa or cheque and that the current student paid using both methods.

The Ministry was provided with a copy of an email from Ms. Hickox's bookkeeper to Ms. Hickox and copies of general ledger reports covering 01/01/2010 – 03/31/2010, 01/01/2009-12/31/2009 for Gone with the Dogs on May 4, 2010. The bookkeeper specifies that one of the students (with the contract start date of March 19, 2009) paid both payments for 2009 and 2010 and the other student (with the contract start date of December 1, 2009) paid the November 2009 payment by visa, the February 2010 payment by cheque and the March 2010 payment of \$500.00 by cheque.

Therefore, Ms. Hickox is charging or collecting a fee in respect of an unapproved program at an unregistered school, in violation of section 9 of the PCCA, 2005.

## **BACKGROUND:**

On April 22, 2010, the Ministry received a tip from a member of the public that Gone with the Dogs in Courtice, Ontario was offering grooming training. The individual provided a link to the school's yellow pages.ca online advertisement for grooming courses.

### **Legal and Operating Entities**

There is no current business name registration for Gone with the Dogs, however, the registered business name was Gone with the Dogs from April 25, 2005 to April 24, 2010. This information was found as a result of an ONBIS search which was conducted on April 28, 2010. The business is still known as "Gone with the Dogs" as evidenced in the yellowpages.ca advertisement and on the student contracts provided by the school.

Gone with the Dogs is listed as a sole proprietorship with Cheryl Anne Hickox as the sole proprietor in the expired business registration. The corporate address is listed as 2 Glenabbey Drive, Suite 10, Courtice, Ontario, L1E 1C1. The address 2005 Highway #2, Bowmanville, Ontario, L1C 3K7 is listed for Cheryl Anne Hickox. The business description is "pet grooming."

Although the business name has expired, Cheryl Anne Hickox is still operating the business as Gone with the Dogs.

Gone with the Dogs was also registered as the business name for this sole proprietorship between April 2, 1997 to April 1, 2002 to Cheryl Anne Hickox. However, the location of the business is listed as 2404 Danforth Road, Toronto, Ontario, L1E 2W3. A different registrant address is listed for Ms. Hickox as well.

A federal corporate search conducted on May 5, 2010 produced no record for "Gone with the Dogs."