

Ministry of Training,  
Colleges and Universities  
Student Support Branch  
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Ministère de la Formation  
et des Collèges et Universités  
Direction du soutien aux étudiants  
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900, rue Bay  
Toronto ON M7A 1L2



**SERVED BY REGULAR and REGISTERED MAIL**

September 8, 2009

Sukhwinder Lathher  
o/a GTA Truck, Bus & Forklift Driving School  
and GTA Truck & Forklift Driving School

and

1569004 Ontario Ltd. (attention: Sukhwinder Lathher)  
o/a A Great Canadian College of Technology

200-1058 Albion Road, Toronto, ON M9V1A7  
And  
5 - 5210 and 301-5200 Finch Avenue East, Toronto, On

Dear Mr. Lathher,

Re: Notice of Compliance and Restraining Order under subsection 46 (1) of the  
*Private Career Colleges Act, 2005*

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For the reasons set out in the attached "Reasons for Decision - Schedule A and Schedule B", attached, I am of the view that Sukhwinder Lathher, on his own, through his spouse or paralegal and doing business under the various business and corporate names GTA Truck & Forklift Driving School, GTA Truck, Bus & Forklift Driving School, 1395668 Ontario Inc., A Great Canadian Employment Agency, 1541756 Ontario Ltd., Great Truck & Forklift School, Great Canadian Truck, Bus & Forklift School, 1569004 Ontario Ltd., A Great Canadian College, A Great Canadian College of Technology, MOGA Truck, Bus & Forklift Driving School, 6339743 Canada Corp., Great Truck & Forklift School, 1761795 Ontario Ltd., Ontario Truck Forklift Heavy Equipment, Ontario Forklift Training School, Great Canadian Truck Driving School, Royal Truck & Forklift Training ("Lathher") is not operating in compliance with the *Private Career Colleges Act 2005*.

**Compliance and Restraining Order**

Pursuant to subsection 46(1) of the *Private Career Colleges Act, 2005*, I am directing Lathher as the principal of the corporations listed above and in Schedule A which operate under the various business names set out above and in Schedule A, to immediately:

- Cease and desist operating as an unregistered private career college at 1058 Albion Road, at 5200- 5210 Finch Avenue East and at any other location in Ontario.
- Cease and desist offering unapproved vocational programs
- Cease and desist distributing any promotional program information or website advertisements, in whatever form, that use statements that mislead, or are likely to mislead, the public for the purpose of inducing a student or prospective student to enroll in a post-secondary program or to enter into a contract with a private career college.
- Respond to the requirements of the June 19, 2008 Order;
- Respond to the requirements of the October 15, 2008 letter in regard to the September 27, 2008 expiration of your private career college registration;
- Respond to the requirements of the current Order.

Lathher will deliver to me **by registered mail or courier and by no later than Friday, September 25, 2009** a written confirmation signed by an authorized officer or other official of all the corporations set out above and in Schedule A:

- a) that the Lathher locations at 200-1058 Albion Avenue and at 5- 5210 and 301- 5200 Finch Avenue East and any other locations are no longer in operation;
- b) that Lathher does not hold, directly or indirectly, any monies owing to current, former or prospective students with contracts with the schools at 200-1058 Albion Avenue and at 5- 5210 and 301- 5200 Finch Avenue East;
- c) that Lathher is in compliance with the Restraining Order dated June 19, 2008; and setting out:
  - d) the names and addresses of all current and former Lathher (200-1058 Albion Avenue and at 5- 5210 and 301- 5200 Finch Avenue East) students;
  - e) the location of all Lathher (200-1058 Albion Avenue and at 5- 5210 and 301- 5200 Finch Avenue East) student files;
  - f) a date and time that all files will be made available forthwith to Ministry staff for review; and
  - g) an explanation of the offering of and delivery of vocational programs at 5- 5210 and 301- 5200 Finch Avenue East after the Restraining Order dated June 19, 2009 and at 1058 Albion Road after the expiration of the private career college registration on September 27, 2008.

**Failure to Comply with the *Private Career Colleges Act, 2005***

If you continue to solicit new students, college fees, register students, operate an unregistered campus location and offer unapproved vocational programs despite this Restraining Order, you will be operating in violation of the *Act* and may be subject to prosecution under section 48 of the *Act*.

Note that a corporation that is found guilty of an offence under section 48 of the *Act* is subject to a fine of up to \$100,000, and any officer or director of a corporation who concurs in the commission of such an offence is also guilty of an offence, and on conviction subject to a fine of up to \$25,000 or imprisonment for a term of up to one year, or both.

The legislation applicable to this Order is the *Private Career Colleges Act, 2005* and Ontario Regulation 415/06 made thereunder. The legislation and regulation are available at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

**Failure to comply with the terms of this Order may result in the publication of the Order on the Ministry's public website.**

In the event that you are unable to access any relevant information on e-laws or if you have questions regarding this Order, you may contact Margot Devlin at 416-314-0500.

Sincerely,

ORIGINAL SIGNED BY

Noah Morris  
Superintendent  
Private Career Colleges

Attachments:      Reasons for Decision  
                                    Schedule A – Background  
                                    Schedule B - Contraventions

## Reasons for Decision

### Schedule A

#### Background:

1569004 Ontario Ltd., operating as A Great Canadian College of Technology, was registered as a private career college with the Superintendent on April 30, 2004. The principal is Sukhwinder Singh Lathher.

It had three programs approved:

- Tractor Trailer Driver Training
- Computerized Accounting
- Business Management

#### Legal and Operating Entities

1569004 Ontario Ltd was registered as a corporation on April 10, 2004. The sole officer and director of the corporation is Sukhwinder Singh Lathher.

Documentation submitted with their incomplete re-registration package on May 14, 2008 indicated that Lathher changed the legal and operating name of his school. The change, according to Lathher's records, was made on May 9, 2008. The new legal entity was known federally as 6339743 Canada Corp. and provincially as 1766608 Ontario Ltd. The new operating name was Great Truck & Forklift School. Notification of the change, as required by the Act, was never provided to the Ministry; thus the change was never effected in the Ministry records.

#### Corporate Searches done May 29, 2009

Ministry staff conducted corporate searches of Great Canadian and found that the principal (Lathher) of the corporation which was a registered private career college, has at least 5 different corporations through which he has conducted business and that he has registered at least 11 different operating names. In addition Lathher now appears to operate under the name, GTA Truck & Forklift Driving School and GTA Truck, Bus & Forklift Driving School. It appears that 3 of the 5 corporations have been cancelled due to failure to file corporate tax returns. The businesses, corporations and the names under which they operate are set out below:

	Corporation	Registered	Officers and Directors	Head Office Address	Operating Names	Cancelled or Active
1.	1395658 Ontario Inc.	10/1/2000	Sukhwinder Singh Lathher	32 Gracedale Blvd.		Cancelled 5/2/2007
					A Great Canadian Employment Agency	
2.	1541756 Ontario Ltd.	11/9/2002	Swarnjit Kaur Lathher	32 Gracedale Blvd		Cancelled 14/1/2004
					Great Truck & Forklift School	

	Corporation	Registered	Officers and Directors	Head Office Address	Operating Names	Cancelled or Active
					Great Canadian Truck, Bus & Forklift School	
3.	1569004 Ontario Ltd.	10/4/2003	Sukhwinder Singh Lathher	32 Gracedale Blvd		Cancelled 1/12/2008
					Great Canadian College	
					A Great Canadian College of Technology	
					MOGA Truck, Bus & Forklift Driving School	
4.	1766608 Ontario also known as 6339743 Canada Corp.	24/1/2005	[REDACTED] (manager and paralegal)	32 Gracedale Blvd		ACTIVE
					Great Truck & Forklift School	
5.	1761795 Ontario Ltd.	27/2/2008	Swarnjit Kaur Lathher	32 Gracedale Blvd		ACTIVE
					Ontario Truck Forklift Heavy Equipment	
					Ontario Forklift Training School	
					Great Canadian Truck Driving School	
					Royal Truck & Forklift Training	
6.	Entity does not appear to be registered				GTA Truck & Forklift Driving School	
					GTA Truck, Bus & Forklift Driving School	

Mr. Lathher and his spouse are the principals of the above corporations and businesses. They appear to operate under the corporation names until they are cancelled due to failure to comply with the Corporate Tax Act.

**History of Non-compliance:**

Ministry inspections, a student complaint and review of advertisement materials reveal continued non-compliance with the *Private Careers Colleges Act, 2005*.

	<b>Deficiency</b>	<b>12/07/05</b>	<b>13/07/05 Drop in visit</b>	<b>27/11/07</b>	<b>21/05/08</b>	<b>3/09/09</b>
1	Illegal campus – s. 8 of PCCA, 2005		1058 Albion Road		5200 Finch Avenue E	5-5210 and 301-5200 Finch Avenue E and 1058 Albion Road
2	Failing to use proper PCC student contract	X		X	X	
3	Advertising non-approved programs – s. 11	X	X	X	X	X
4	Student files do not include all required documents	X		X	X	
5	Use different operating names than the name registered with the Ministry	X			X	
6	Change of ownership due to change of legal entity – no documentation submitted as registered officer and director differs				X	
7	No instructor qualification forms on site	X		X	X	
8.	Delivering unapproved programs				X (301-5200 Finch Avenue E)	X

1. On July 12, 2005 Ministry Staff conducted an annual inspection of 1569004 Ontario Ltd. o/a “A Great Canadian Driving School”. The school was located at 1111 Albion Road, Unit 102. Deficiencies are noted in the chart. [REDACTED], the school’s delegate, and Mr. Lathher, the President of the legal entity, were present.

2. On July 13, 2005 Ministry Staff conducted a drop in visit on an illegal campus (1058 Albion Road) of 1569004 Ontario Ltd which was now operating under the name “A Great Canadian College of Technology”. Deficiencies are noted in the chart. Mr. Lathher, the owner was present.

3. On September 28, 2005, a follow-up visit was done to ensure corrections after the inspection. At this time, appropriate contracts were in use and the school had moved from 1111 Albion Road to 1058 Albion road and closed its 1111 Albion Road location. In addition, the operating name had been changed from "A Great Canadian Driving School" to "A Great Canadian College of Technology".

4. On November 27, 2007 Ministry staff conducted a drop in visit on 1569004 Ontario Ltd. o/a A Great Canadian College of Technology at 1058 Albion Road. Deficiencies are noted in the chart. Mrs. Lathher and [REDACTED], the school's paralegal, were present.

5. On May 21, 2008, Ministry staff conducted an annual inspection of 1569004 Ontario Ltd. o/a "A Great Canadian College of Technology at 1058 Albion Road. In addition Ministry staff conducted a drop in visit on an illegal campus at 5200 Finch Avenue East. Mr. Lathher, the owner was present at both locations. [REDACTED], the school's paralegal, and Mrs. Lathher were present at 1058 Albion Road.

6. On November 27, 2007 and on May 21, 2008, Ministry staff were advised that of the three approved programs, only the Tractor Trailer Driver Training program was delivered.

#### **Restraining Order**

7. Ministry staff found during the 2008 inspection, that Lathher was operating an unregistered campus, offering unapproved programs, failing to use a private career college contract, failing to maintain compliant student files and advertising unapproved programs. A Restraining Order dated June 19, 2008 was issued. Lathher was required to respond to the Superintendent's Order by July 7, 2008 to advise that he was in compliance with the Restraining Order. He did not respond.

8. As Lathher had failed to respond to the Order, it was posted to the Ministry's public website.

#### **Failure to File Re-Registration Documentation**

9. On August 21, 2008, Ministry staff contacted Lathher by email, to advise that his Private Career College registration was about to expire as he had not completed the renewal process. He did not respond.

10. On August 27, 2008, Ministry staff contacted the school and spoke with the owner, Sukhwinder Lathher. Mr. Lathher was advised that his response to the Superintendent's Order was overdue, his re-registration documentation was outstanding and if he did not provide all documentation his Registration would expire and his school would be closed as at September 27, 2008. He acknowledged that he understood all the deadlines and would respond. No response or documentation was received from Great Canadian.

#### **Expiration of Registration as Private Career College**

11. Lathher's private career college registration expired on September 27, 2008 on the RICC database and it was removed from Service Ontario.

12. On October 15, 2008, the Superintendent issued a letter to Lathher setting out the information required in regard to the expiration of their private career college registration. To date there has been no response.

### **Continued Contravention of Superintendent's Order**

13. On January 8, 2009, and on January 29, 2009, Ministry staff attended at the premises of 1058 Albion Road. Ministry staff found that Lathher continued to operate a private career college and to offer vocational training programs.

14. On May 27, 2009, the Ministry received an international student complaint stating that he had not received his tuition refund after his Visa was refused. The Superintendent has forfeited the financial security bond held for 1569004 Ontario Ltd. and the student will be refunded once the discovery period is ended.

15. On June 3, 2009, Ministry staff reviewed Lathher's websites and found that Lathher continued to advertise the delivery of vocational programs at both locations – 1058 Albion Road and 5200 Finch Avenue East.

16. On July 2, 2009, Ministry staff attended at both Lathher's locations and posted notices stating that the institution at that address was not registered under the Private Career Colleges Act, 2005.

17. On August 29, 2009 Ministry staff reviewed Lathher's websites. The programs offered on the [www.ontariotruckschool.com](http://www.ontariotruckschool.com) website appeared to be exempt pursuant to s. 9 of O. Reg 415/06. Tuitions were advertised at less than \$1,000.00.

18. On September 3, 2009, Ministry staff found that the website [www.greatcollege.ca](http://www.greatcollege.ca) for A Great Canadian College of Technology, continued to advertise that it was a registered private career college and programs on this website require approval under the Act. Lathher continues to operate in violation of s. 7 and 8 of the Private Career Colleges Act, 2005.

19. On September 3, 2009, Ministry staff attended at both campuses. It appears that Lathher is now operating under the name GTA Truck & Forklift Driving School. Lathher's business cards also use the name GTA Truck, Bus & Forklift Driving School. Ministry staff found no registered business name or corporation for these names.

20. The 5210 Finch Avenue East location was not open but signs were up indicating that GTA Truck & Forklift Driving School was operating from that address. They had moved from the office 301 to unit 5 at the same location. The notices posted by Ministry staff on July 2, 2009 had been removed.

21. On September 3, 2009, Ministry staff found the 200-1058 Albion Road location was open. The notices posted by Ministry staff on July 2, 2009 had been removed. A receptionist, named [REDACTED], was on site. She stated that she was summer help only and knew nothing of the student files. On her desk, however, was a list of what appeared to be current students. As there was no apparent photocopying equipment, Ministry staff typed the information in regard to students, who appeared to be currently enrolled in programs which require approval under the Act, into a chart on their accompanying Ministry-issued computer.



## **Schedule B – Contraventions of the *Private Career Colleges Act, 2005***

Mr. Lathher's current and past conduct demonstrates his non-compliance with the Private Career Colleges Act, 2005 ("PCCA,2005") and affords reasonable grounds for the belief that his ongoing activities will continue to contravene the PCCA, 2005 and the regulations made thereunder.

Contraventions by Sukhwinder Singh Lathher, on his own and through his business names and corporations are listed below and set out in more detail under Facts:

1. Failure to reply to and comply with the Restraining Order issued by the Superintendent on June 19, 2008;
2. Failure to reply to and comply with the October 15, 2008 Notice from the Superintendent of the expiration of the registration of Lathher's private career college;
3. Operating unregistered private career colleges – contravention of s. 7 of the Act;
4. Offering, delivering and charging fees for unapproved programs – contravention of s. 8 and 9 of the Act ;
5. Advertising unapproved programs – contravention of s. 11(2) of the Act ;
6. Misrepresentation to Citizenship and Immigration or in the alternative misrepresentation to the Ministry.

### **Facts:**

1. Failure to reply to and comply with the Restraining Order issued by the Superintendent on June 19, 2008;

The Compliance and Restraining Order of June 19, 2008 had directed Lathher to:

- Cease and desist in the operation of an unregistered private career college at 5-5210 and 301- 5200 5200 Sheppard Avenue East;
- Cease and desist in the offering and delivery of unapproved vocational programs;
- Cease and desist in the distributing any promotional information or website advertisements that use statements for the purpose of inducing a student or prospective student to enrol in a vocational program;
- Comply with the Private Career Colleges Act, 2005 in the administration of its registered private career college.

Mr. Lathher was required to reply by July 7, 2008. He did not.

On August 27, 2008, Ministry staff spoke to Mr. Lathher and advised him that his response to the Order was outstanding. He stated that he had received the Order and that he would have a response in to the Superintendent by the end of the week. To date no response has been received.

2. Failure to reply to and comply with the October 15, 2008 Notice from the Superintendent of the expiration of the registration of Lathher's private career college;

On August 21, 2008, Ministry staff emailed Lathher to advise that his private career college registration was about to expire due to his failure to submit the requisite documentation. There was no response to this email.

On August 27, 2008, Ministry staff telephoned Lathher and advised him that his response to the June 19, 2008 Order was outstanding and that his private career college registration was about to expire. He stated that he would respond as soon as possible. No response or documentation was received by the Ministry.

On September 27, 2008, the school's registration expired.

On October 15, 2008, the Superintendent issued a letter to Lathher setting out the information required in regard to the expiration of their private career college registration. To date there has been no response.

3. Operating unregistered private career colleges – contravention of s. 7 of the Act;
4. Offering, delivering and charging fees for unapproved programs – contravention of s. 8 and 9 of the Act
5. Advertising unapproved programs – contravention of s. 11(2) of the Act

On January 8, 2009, and on January 29, 2009, Ministry staff attended at the premises of 1058 Albion Road. Ministry staff found that Lathher was continuing to operate a private career college and they were offering vocational training programs.

On June 3, 2009, Ministry staff reviewed the Lathher's websites, [www.greattruck.ca](http://www.greattruck.ca); [www.greattruckschool.com](http://www.greattruckschool.com); [www.greatcollege.ca](http://www.greatcollege.ca); and [www.ontariotruckschool.com](http://www.ontariotruckschool.com). Lathher continued to advertise the delivery of vocational programs at both locations – 1058 Albion Road and 5200 Finch Avenue East.

On July 2, 2009, Ministry staff attended at both Lathher's locations and posted notices stating that the institution at that address was not registered under the Private Career Colleges Act, 2005.

On August 29, 2009 Ministry staff reviewed Lathher's websites. The programs offered on the [www.greattruck.ca](http://www.greattruck.ca); [www.greattruckschool.com](http://www.greattruckschool.com); and [www.ontariotruckschool.com](http://www.ontariotruckschool.com) websites appeared to be exempt pursuant to s. 9 of O. Reg 415/06. Tuitions were advertised at less than \$1,000.00.

On September 3, 2009, Ministry staff found that the website [www.greatcollege.ca](http://www.greatcollege.ca) for A Great Canadian College of Technology, advertised that it was a registered private career college and programs on this website require approval under the Act. Lathher continues to operate in violation of s. 7 and 8 of the Private Career Colleges Act, 2005.

On September 3, 2009, Ministry staff attended at both campuses. It appears that Lathher is now operating under the name GTA Truck & Forklift Driving School. Lathher's business cards also use the name GTA Truck, Bus & Forklift Driving School. Ministry staff found no registered business name or corporation for these names.

The 5200- 5210 Finch Avenue East location was not open but signs were up indicating that GTA Truck & Forklift Driving School was operating from that address. They had

moved from the unit 301 to unit 5 at the same location. The notices posted by Ministry staff on July 2, 2009 had been removed.

On September 3, 2009, Ministry staff found the 200-1058 Albion Road location was open. The notices posted by Ministry staff on July 2, 2009 had been removed. A receptionist, named [REDACTED], was on site. She stated that she was summer help only and knew nothing of the student files. On her desk, however, was a list of what appeared to be current enrolled students. As there was no apparent photocopying equipment, Ministry staff typed the information in regard to students, who appeared to be enrolled in programs which require approval under the Act, into a chart on their accompanying Ministry issued laptop computer. Ministry staff recorded the following information:

Name	Phone	Course	Payment and Amount Due
[REDACTED]	[REDACTED]	AZ	1457-200=1257
[REDACTED]	[REDACTED]	AZ	1350-100=1250
[REDACTED]	[REDACTED]	AZ	1200 – 30=1170
[REDACTED]	[REDACTED]	AZ	1230-180=1050.13
[REDACTED]	[REDACTED]	D	1501
[REDACTED]	[REDACTED]	AZ	1200-30=1170
[REDACTED]	[REDACTED]	AZ	1230-100=1130

Lathher continues, despite the Restraining Order of June 19, 2008, to advertise and deliver vocational programs at the unregistered campus, 5200 Finch Avenue location, which is now found in unit 5.

In addition, Lathher’s registration expired on September 27, 2008; yet he continues to advertise and deliver vocational programs at the 1058 Albion Road location.

6. Misrepresentation to Citizenship and Immigration or in the alternative misrepresentation to the Ministry
  - Sent a letter of acceptance to a student for purposes of obtaining a student visa from Citizenship and Immigration Canada for a program which they were not delivering.
  - Lathher advised Ministry that never ran the Business Administration program and had no intent to do so.

On May 27, 2009, the Ministry received a complaint from an International Student. The Student indicated that he had applied for enrolment in the Business Administration course at “A Great Canadian College of Technology”. He provided the Ministry with a Student Acceptance letter signed by Sukhwinder Lathher. The program was to start May 7, 2007 and end May 3, 2008. The student received a letter dated June 16, 2007 signed by Sukhwinder Lathher acknowledging payment in the amount of \$12,500 which includes a handwritten note from “[REDACTED]”, Lathher’s paralegal, acknowledging payment. The student told the Ministry and a lawyer that he had retained that he had only paid them \$9,000.

The student was refused a Visa and A Great Canadian College of Technology has failed to refund his money, despite discussion and a letter dated June 4, 2008 requesting the refund.

**Misrepresentation to Citizenship and Immigration Canada**

During the May 2008 inspection by the Ministry, Mr. Lather stated that they were not delivering the Business Management program which they had had approved. They were only delivering truck driving programs. They did not have facilities or an instructor to deliver this program; however, they recruited this international student to a Business Administration program.

**Misrepresentation to the Ministry**

At the date of the May 2008 inspection, this student had an active letter of acceptance in the Business Management program but it was not disclosed to the Ministry that they had students enrolled in this program.

The Superintendent has forfeited the school's bond and will refund the student once the discovery period has ended.