

RESTRAINING ORDER

Served by courier

June 9, 2010

Barbara Elizabeth Hamon
o/a Hairy Barkers Grooming School
662 Dundas Street East
London, Ontario
N5W 2Z1

Attention: Barbara Elizabeth Hamon

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 Barbara Elizabeth Hamon operating as Hairy Barkers Grooming School (Hairy Barkers) 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.

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 and unapproved vocational programs that require approval.

If you are 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. Hairy Barkers would then be required to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, you:

- 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 request refunds in writing and 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 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 \$250,000; 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 \$50,000, 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,

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 May 10, 2010, the website belonging to Hairy Barkers, <http://hairybarker.com/>, was reviewed by Ministry staff who found that it had little information, other than an e-mail address: info@hairybarker.com. Ministry staff found an address and phone number for the school listed on the websites

http://www.findagroomer.com/groomers/Salon_and_Shop_Groomers/Canada/Ontario/1566.htm and <http://www.canpages.ca/page/ON/london/hairy-barkers-grooming-school/5188861.html>.

A third website, <http://www.yellowpages.ca/bus/Ontario/London/Hairy-Barkers/3417062.html?what=Pet+Grooming-Clipping+%26+Washing&where=Stratford+ON&le=e43b56e0fa>

offered an address and phone number as well, but also contained an advertisement for the school which stated that its career grooming courses are taught by a certified master groomer.

On May 11, 2010, Ministry staff phoned Hairy Barkers at 519-679-9030 and spoke to “Barb.” Ministry staff asked about the structure of the grooming course. Barb advised that the course costs approximately \$6,200 after taxes, and is 9 weeks long, Monday to Thursday, 9am-5pm (288 hours). She also confirmed that upon completing the course, students would receive a diploma.

On May 26, 2010, Ministry staff spoke with Barb Hamon of Hairy Barkers on the telephone and advised her of the requirements of the *Private Career Colleges Act, 2005*, and that she appeared to be advertising an unapproved vocational program that requires approval in violation of that Act. Ministry staff specifically mentioned the advertisement found on [yellowpages.ca](http://www.yellowpages.ca). Barb Hamon claimed to be unaware that the [yellowpages](http://www.yellowpages.ca) ad could be taken down. Ministry staff advised her that if she contacts the company, they will remove the ad. Ministry staff advised that this ad must be taken down in accordance with the Act.

Notwithstanding Ministry staff’s attempt to obtain compliance without taking enforcement action against the school, on June 9, 2010 Ministry staff reviewed <http://www.yellowpages.ca/bus/Ontario/London/Hairy-Barkers/3417062.html?what=Pet+Grooming-Clipping+%26+Washing&where=Stratford+ON&le=e43b56e0fa> and found that the ad for Hairy Barkers Grooming School was still online.

Based on the information provided about the cost and length of the grooming program, it 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 and is thus a vocational program within the meaning of the *Private Career Colleges Act, 2005* and is required to be approved by the Superintendent pursuant to section 23 of the Act.

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.

Hairy Barkers - 663 Dundas Street, London, ON - Mozilla Firefox

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http://www.yellowpages.ca/bus/Ontario/London/Hairy-Barkers/3417062.html?what=Pet+Grooming-Clipping+&hairy+barker+findgroomer

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Hairy Barkers
663 Dundas Street,
London, ON N5W 2Z1

519-679-9030



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Ad

HAIRY BARKERS GROOMING SCHOOL & PET STYLING

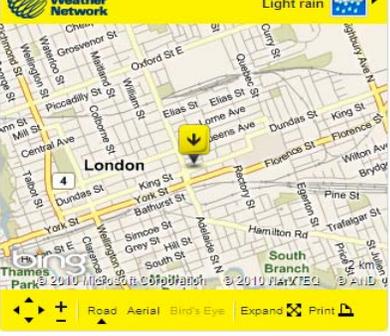
- All Breed Pet Grooming (Dogs & Cats)
- Learn To Groom Your Own Pet
- Career Grooming Courses
- Taught by Certified Master Groomer

www.hairybarker.com
519-679-9030

663 Dundas St E (near Adelaide St)

Enlarge

The Weather Network 6 °C Light rain



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To: Hairy Barkers
From:

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Hairy Barkers
663 Dundas Street,
London, ON N5W 2Z1

519-679-9030



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Ad

HAIRY BARKERS GROOMING SCHOOL & PET STYLING

- All Breed Pet Grooming (Dogs & Cats)
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- Career Grooming Courses
- Taught by Certified Master Groomer

www.hairybarker.com
519-679-9030

663 Dundas St E (near Adelaide St)

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BACKGROUND

On May 5, 2010, Ministry staff received a complaint about the operations of Hairy Barkers and subsequently began an investigation.

Legal and Operating Entities

On May 25, 2010, Ministry staff contacted Barbara Hamon of Hairy Barkers and instructed her to send proof of her business' structure. On June 4, 2010, Ministry staff received a copy of the Master Business Licence for Hairy Barkers, which lists Barbara Elizabeth Hamon as the Sole Proprietor of the school.