

## RESTRAINING ORDER

Served by email ([asiddiky27@yahoo.ca](mailto:asiddiky27@yahoo.ca)), by fax (613) 632-8187 and by courier

April 19, 2010

Hawkesbury Mosque operating as Hawkesbury School of Higher Studies (HSHS)  
known as Hawkesbury University  
363 McGill Street, Suite 01  
Hawkesbury, Ontario K6A 1R1

and

363 McGill Street, Suite 5  
Hawkesbury, Ontario K6A 1R1

and

651 Main Street East, Suite 2, 1<sup>st</sup> Floor  
Hawkesbury, Ontario K6A 3B1

Attention: Dr. Ashraf Hossain Siddiky

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 Hawkesbury Mosque operating as Hawkesbury School of Higher Studies (HSHS) known as Hawkesbury University (“Hawkesbury University”) 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, Hawkesbury University is:

- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively; and
- in contravention of section 38 (10) of the PCCA, 2005 for obstructing the Superintendent’s designates during an inquiry.

Hawkesbury University 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 Hawkesbury University:

- has stopped advertising an unregistered Private Career College and unapproved vocational programs that require approval; and
- will cease contravening section 38 (10) of the PCCA, 2005.

If Hawkesbury University is currently operating an unregistered Private Career College, these actions would be contrary to sections 7 and 8 of the PCCA, 2005 respectively. Hawkesbury University would then be required to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, Hawkesbury University:

- 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 full 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 Hawkesbury University to comply;
2. The issuance of further Administrative Monetary Penalties.
3. Prosecution for offences under the PCCA, 2005. 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.on.ca](http://www.e-laws.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

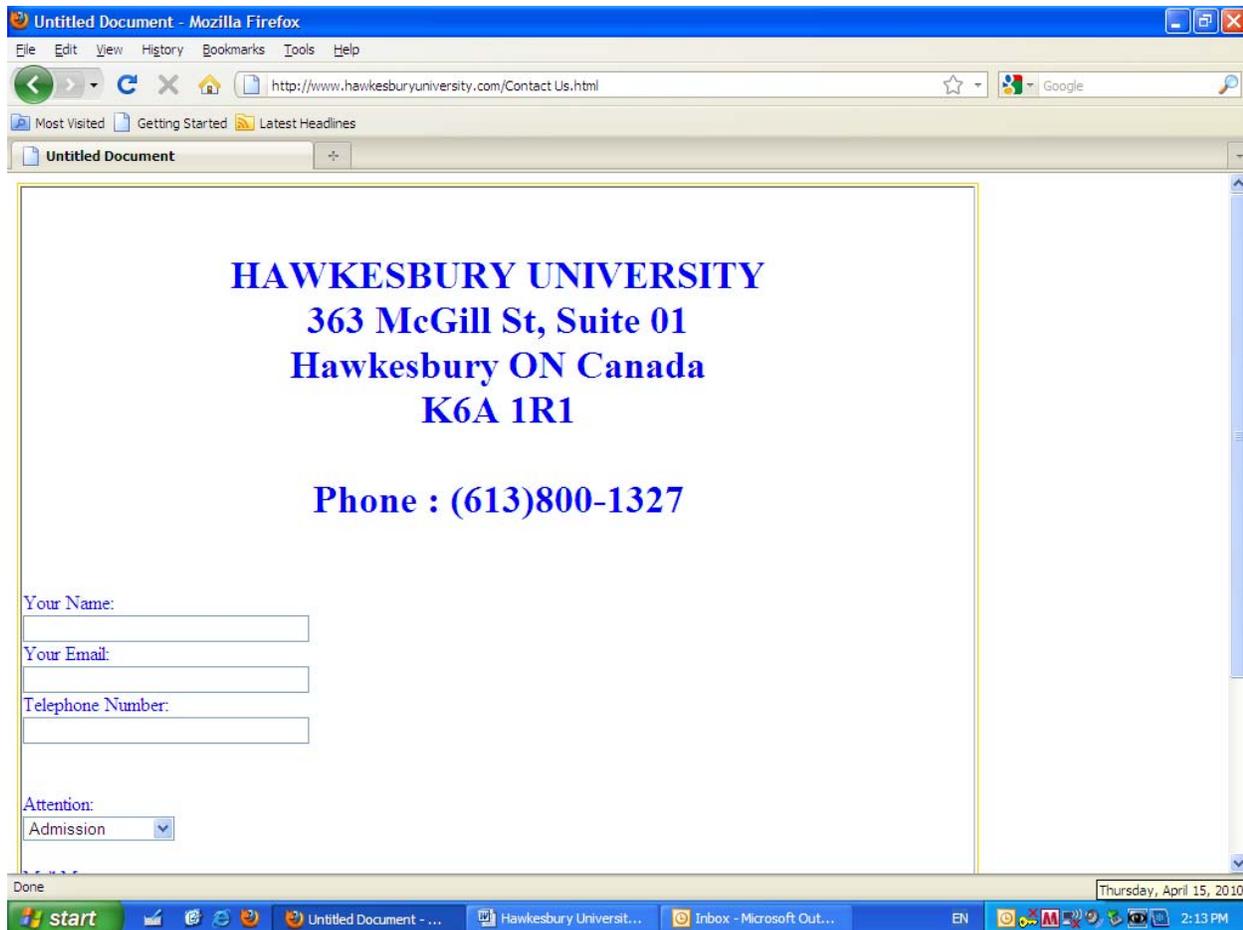
### Contravention of Subsection 11(1) of the PCCA, 2005 – Advertising Unregistered Private Career College and Unapproved Programs

Ministry staff viewed the website [www.hawkesburyuniversity.com](http://www.hawkesburyuniversity.com) belonging to Hawkesbury Mosque operating as Hawkesbury School of Higher Studies (HSHS) known as Hawkesbury University (“Hawkesbury University”) on April 9, 2010.

There is evidence that this institution is advertising itself as a private career college. The website ([www.hawkesburyuniversity.com](http://www.hawkesburyuniversity.com)) advertises itself as “HAWKESBURY UNIVERSITY” in large letters at the top of the screen and specifies it is “In The Beautiful Town of Hawkesbury Ontario Canada.” There is a photograph of a building on the webpage underneath the university’s name and logo.

There are a number of links on the institution’s website ([www.hawkesburyuniversity.com](http://www.hawkesburyuniversity.com)) with detailed information advertising features of the university, including student services and the programs being offered.

The website provides the university’s address and opportunity for individuals to email the institution for further information. An email address ([info@hawkesburyuniversity.com](mailto:info@hawkesburyuniversity.com)) is also provided on the website:



Hawkesbury University advertises a list of unapproved programs with accompanying duration and tuition fees on its “Course Fee” webpage, as follows:

Untitled Document - Mozilla Firefox  
 http://www.hawkesburyuniversity.com/Coursefee.html

## HAWKESBURY UNIVERSITY (PROPOSED)

Fee Structure (PROPOSED)		
Programme	Duration	Tuition Fee
Individual Certification Courses	3 Months	\$1200/-
Certificates and Diplomas	12 months	\$4000/-
Associate of Arts	24 Months	\$4900/year
Bachelor Degree	36 months - Intensive	\$7900/year
Master Degree	18-24 months	\$7900/-
Master of Philosophy	18-24 months	\$9900/-
Doctorate Degrees	36 months	\$00/18 months

**Transportation:** Students are expected to pay their own air transportation to **Ottawa or Montreal to Hawkesbury Campus**. Students must pay for their transportation costs to and from the university if such costs exist.

**Books:**  
 Students should expect to pay an average of \$50 per course for new books. The purchase of used books can reduce this cost considerably.

**Materials:**  
 Students should budget approximately \$250 per year for school supplies and materials.

**Graduation Fee:** The **graduation fee** is \$200. Additional fee may be mandatory in order to attend the ceremony and is subject to change.

**Refund / Cancellation:**

Done Thursday, April 15, 2010 2:11 PM

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 http://www.hawkesburyuniversity.com/Coursefee.html

\*For the precise breakdown of tuition fees, students must refer to their University Enrolment Contract.  
 \*A partial deposit of \$2000 tuition payment is normally requested at admission for non-citizen of Canada. Citizens, before the University issues the enrolment document for the student.

**Miscellaneous**

**Application Fee:** (Proposed)  
 The **application fee** is \$350 for international students and \$200 for local students which is deductible from the full tuition fee once the student commences classes. This fee is mandatory and non-refundable.

**Housing:**  
 The **Hawkesbury University** does provide very limited on-campus housing for students. Individuals may expect to pay an average of \$450-\$650 weekly for rent. There are many types of housing available in different price ranges, and apartment sharing amongst students is economical and is encouraged. The university provides data on rentals, share rentals, work exchanges, and sublets in the Hawkesbury area.

**Refund / Cancellation:**  
 Students should refer to HU terms and conditions in the application form, where a refund is applied, it shall be decided by the Board of Director. No refund is given when classes for which the student has enrolled have started or where the student has been placed on probation, suspension or expulsion.

**Payment Options**

- Payment may be made by cash and/or personal cheque (with appropriate bank guarantees or bank draft).
- The University reserves the right to review and change **tuition fees** without notice. The tuition fee charged will depend on the fees in place when the student enrolls i.e. when the student registers and pays for courses. Registration for classes will be restricted for students with outstanding financial obligations.
- Transcript and degree certificate/diploma will not be released until the student has paid all financial obligations to the University.

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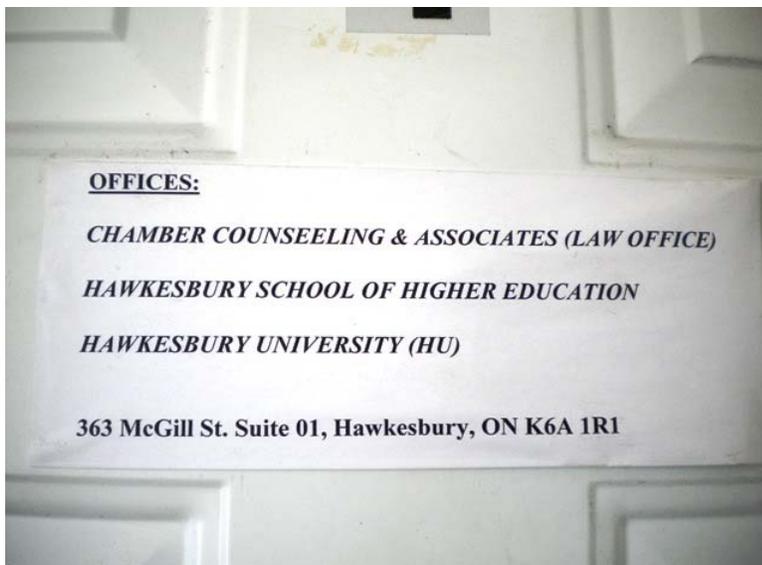
The webpage entitled “Courses and Programs” provides a list of certificate and diploma courses offered, including Advanced Postgraduate Diplomas in Business Administration. Unapproved individual and certificate courses are listed as costing \$1200 for 3 months and unapproved certificate and diploma courses are listed as costing \$4000 for 12 months of study.

Business Administration programs correspond to National Occupational Classification (NOC) code 1122 Professional Occupations in Business Services to Management.

Detailed information about application fees for foreign and local students, on-campus housing, transportation costs to Hawkesbury, the cost of books, school supplies and materials, graduation fees, policy for refund/cancellations, payment options and financial obligations are also provided on the course fee webpage.

The “Faculty” webpage link shows photographs of academic staff listing their academic qualifications and the subjects in which they lecture.

On April 13, 2010, a designate of the Superintendent of Private Career Colleges visited Hawkesbury University at 363 McGill Street, Unit 01 in Hawkesbury, Ontario. Upon arrival at the premises, the Superintendent’s designate noticed that an inner door of the premises contained the following advertising signage:



The Superintendent’s designate met with Dr. Ashraf Hossain Siddiky of Hawkesbury University at 363 McGill Street, Suite 01 in Hawkesbury on April 13, 2010.

Dr. Siddiky advised the Superintendent’s designate that he is a lawyer doing work here “for Bangladesh” and that he helps immigrants come to Canada. Dr. Siddiky said Hawkesbury University is only registered in Delaware, that he started planning it in 2003 and that he was concentrating on it in 2007. Dr. Siddiky explained to the Superintendent’s designate that in 2003 he tried to get incorporated in Ottawa as a federal corporation, but was told that he needed university approval to get the name “Hawkesbury University.” Dr. Siddiky said he owns about 100 acres of land beside Pleasant Corner School where he plans to build the university.

Dr. Siddiky advised the Superintendent's designate that on April 1, 2010 he was called by the local police, who asked him about the school and told him to "put the website down." However, the website was still in operation on the date of the designate's visit with Dr. Siddiky.

The Superintendent's designate advised Dr. Siddiky that he was not permitted to advertise the existence of a private career college, a university, or certificate, diploma and degree programs and that he must remove the website advertising immediately and confirm same in writing to the designate.

As of April 15, 2010, the website ([www.hawkesburyuniversity.com](http://www.hawkesburyuniversity.com)) remained online, although some of the individual webpage links had been removed and the words "proposed" had been inserted in front of the name "Hawkesbury University." Dr. Siddiky has neither removed the website itself nor provided the Superintendent's designate with written confirmation of the removal of same.

Since Hawkesbury University is not registered as a private career college under the PCCA, 2005, and the certification and diploma courses are not approved, advertising them is prohibited in accordance with section 11, as noted above.

In addition, Hawkesbury University is in violation of the *Post-Secondary Education Choice and Excellence Act, 2000* because it has not been granted the authority to grant a degree, provide a program or part of a program of post-secondary study leading to a degree to be conferred by a person inside or outside Ontario, advertise a program or part of a program of post-secondary study offered in Ontario leading to a degree to be conferred by a person in or outside Ontario or sell, offer for sale or provide by agreement for a fee, reward or other remuneration, a diploma, certificate, document or other material that indicates or implies the granting or conferring of a degree. On August 12, 2009, the Postsecondary Accountability Branch of the Ministry of Training, Colleges and Universities sent a letter to "Hawkesbury University" specifying it was in violation of PSECE by offering or advertising a program or part of a program leading to a degree in Ontario and was directed to terminate such activity. "Hawkesbury University" did not respond to the Ministry's correspondence.

### **Contravention of section 38 (10) of the PCCA, 2005 - Obstruction During Inquiry**

On April 13, 2010, a designate of the Superintendent of Private Career Colleges visited Hawkesbury University at 363 McGill Street, Suite 01 in Hawkesbury, Ontario.

At the beginning of the conversation with the Superintendent's designate, Dr. Siddiky stated that he had built the school's website a few days ago. However, at a later point in the conversation, Dr. Siddiky told the Superintendent's designate that he made the website at the beginning of last year.

At another point in the conversation, Dr. Siddiky advised that the school's website is administered in Bangladesh. However, on April 15, 2010, Ministry staff found information on a domain website (<http://whois.domaintools.com/hawkesburyuniversity.com>) for Hawkesbury University which specifies that Dr. Siddiky does have control over the administration of the website data, as follows:

HawkesburyUniversity.com - Hawkesbury University - Mozilla Firefox

File Edit View History Bookmarks Tools Help

http://whois.domaintools.com/hawkesburyUniversity.com

Most Visited Getting Started Latest Headlines

Untitled Document HawkesburyUniversity.com - Hawkesb... HawkesburyUniversity.com - Hawkesb... HawkesburyUniversity.com - Ha...

## Whois: HawkesburyUniversity.com

Acquire this Domain Name

Search Whois Records  Search

Add Missing Thumbnail: [Queue Thumbnail For Addition](#)

**Whois Record** Site Profile Registration Server Stats My Whois

### Whois Record

Related Domains For Sale or At Auction 1 2 3 More >

<a href="#">SaudiUniversity.com</a> (\$888)	<a href="#">UniversityDesign.com</a> (\$1,430)	<a href="#">PostalUniversity.com</a> (\$1,000)
<a href="#">UniversityPlanet.com</a> (\$1,588)	<a href="#">ParisUniversity.com</a> (\$1,995)	<a href="#">UniversityFoods.com</a> (\$1,495)

Registrant Search: "Yahnoor" owns about [3 other domains](#)

Email Search: [asiddiky27@yahoo.ca](#) is associated with about [6 domains](#)

Registrar History: [2 registrars](#) with 1 drop.

NS History: [16 changes](#) on 11 unique name servers over 4 years.

IP History: [11 changes](#) on 9 unique name servers over 4 years.

Whois History: [18 records](#) have been archived since 2008-10-06 .

Reverse IP: [1,594 other sites](#) hosted on this server.

[Log in](#) or [Create a FREE account](#) to start monitoring this domain name

**DomainTools for Windows®**  
Now you can access domain ownership records anytime, anywhere... right from your own desktop! [Find out more >](#)

Registrant:  
Yahnoor  
363 McGill St., Suite 01

**Country TLDs** **General TLDs**

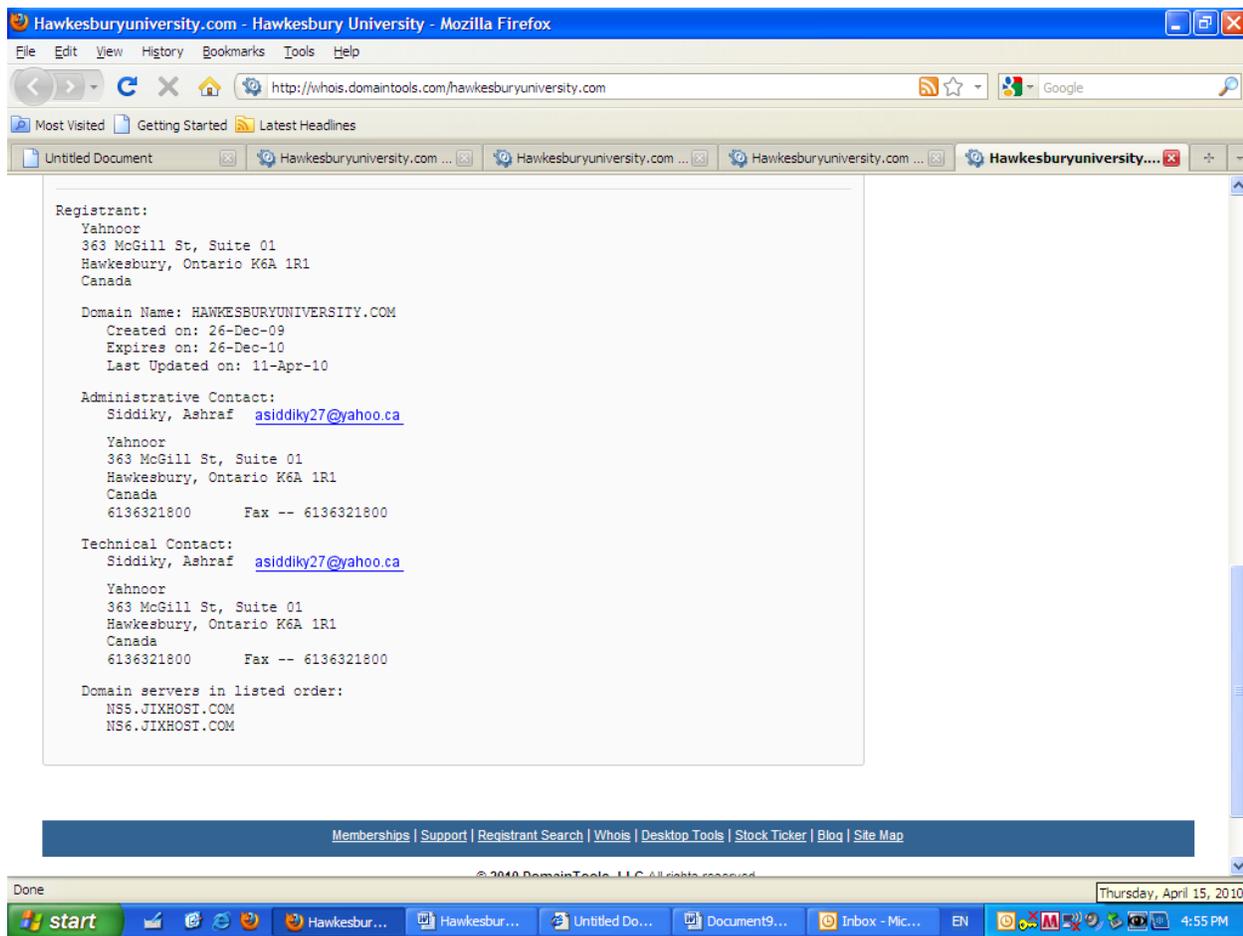
- [HawkesburyUniversity.at](#) [Buy](#)
- [HawkesburyUniversity.be](#) [Buy](#)
- [HawkesburyUniversity.ch](#) [Buy](#)
- [HawkesburyUniversity.cn](#) [Buy](#)
- [HawkesburyUniversity.co.uk](#) [Buy](#)
- [HawkesburyUniversity.de](#) [Buy](#)

[Show all \(17\) >](#)

**Buy all selected >**

Done Thursday, April 15, 2010

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The email address provided in the record above is the same email address listed on Dr. Siddiky's business card which he provided to the Superintendent's designate during the visit on April 13, 2010.

Based on this information, it is clear that Dr. Siddiky provided the Superintendent's designate with information on matters relevant to the inquiry which he knew to be false or misleading; an action which is therefore considered an obstruction under section 38(10) of the PCCA, 2005.

## **BACKGROUND:**

On August 12, 2009, the Postsecondary Accountability Branch of the Ministry of Training, Colleges and Universities sent a letter to "Hawkesbury University" stating that activities being undertaken by "Hawkesbury University" are subject to the *Postsecondary Education Choice and Excellence Act, 2000* (PSECE) and the *Private Career Colleges Act, 2005* (PCCA). "Hawkesbury University" was told it was a violation of PSECE to offer or advertise a program or part of a program leading to a degree in Ontario and was directed to terminate such activity. "Hawkesbury University" did not respond to the Ministry's correspondence nor cease offering or advertising the programs, as specified above.

On April 8, 2010, Ministry staff became aware of an article entitled "EXCLUSIVE: OPP investigate existence of Hawkesbury University" in *The Review*, a community newspaper located in the Vankleek Hill, Ontario. That article specified that: "The

Hawkesbury Ontario Provincial Police are attempting to find out if Hawkesbury University actually exists or if it is some sort of elaborate scam.”

Ministry staff viewed the website [www.hawkesburyuniversity.com](http://www.hawkesburyuniversity.com) belonging to Hawkesbury University on April 9, 2010.

### **Legal and Operating Entities**

A federal corporations search of Industry Canada conducted on April 15, 2010 shows that Hawkesbury Mosque is registered as an active federal corporation since August 23, 2004. The corporate address is 651 Main Street East, Suite 2, 1<sup>st</sup> Floor, Hawkesbury, Ontario, K6A 3B1. The following individuals are listed as Directors: Ashraf Siddiki, Sajjad Siddiky, Nazrul Talukder and Masud Siddiky. An ONBIS search conducted on April 15, 2010 indicates that Sajjad Hossain Siddiky is listed as an officer/manager in Ontario.

The ONBIS search also shows that Hawkesbury School of Higher Studies (HSHS) is the registered business name for Hawkesbury Mosque. That business name was registered on March 8, 2007 and expires on March 7, 2012. The registered business address is 363 McGill Street, Suite 5, Hawkesbury, Ontario, K6A 1R1. The business carries on “course of studies.”

The Hawkesbury University website indicates that “Hawkesbury University” is registered in Delaware. However, in Ontario, Hawkesbury School of Higher Studies (HSHS) is *known as* “Hawkesbury University.” The Hawkesbury University website states the following:

As a foreign university in Hawkesbury, HU is independently administered by Hawkesbury School of Higher Studies (HSHS) registered (under Ontario Master Business Licence, Business name Registration# 170271431, on 2007-03-08) in Ontario, Canada.