

**Ministry of Training,  
Colleges and Universities**

Office of the Superintendent

Private Career Colleges Branch  
9<sup>th</sup> Floor, Mowat Block  
900 Bay Street  
Toronto ON M7A 1L2

**Ministère de la Formation  
et des Collèges et Universités**

Bureau du Surintendant

Direction des collèges  
privés d'enseignement professionnel  
9<sup>e</sup> étage, édifice Mowat  
900, rue Bay  
Toronto ON M7A 1L2



# RESTRAINING ORDER

## By courier

September 28, 2010

Highway Truck Training Inc.  
22 Southbend Drive  
Brampton, ON L7A 1J4

and

43 Cassis Drive  
Etobicoke, ON M9V 4Z4

and

6190 Atlantic Drive  
Mississauga, ON L5T 1W3

Dear Gurnam G.S. Singh, Surjit Kajr and Surjit Kaur:

This is a Restraining Order issued under s. 46(1) of the *Private Career Colleges Act, 2005* ("Act"). As the Superintendent of Private Career Colleges, I believe that Highway Truck Training Inc. has contravened the Act and/or regulations, and I order the School to stop contravening the following provisions of the Act and/or regulations:

- advertising unapproved vocational programs that require approval, contrary to section 11 of the Act;
- holding yourself out as the operator of a private career college without being registered, contrary to section 7 of the Act; and
- delivering unapproved vocational programs that require approval, contrary to section 8(1) of the Act.

Detailed reasons in support of my decision to issue this order are found in Schedule "A", attached. Failure to comply with this order may result in any or all of the following, further enforcement actions:

- Application for an order from the Superior Court of Justice;
- The issuance of further Administrative Monetary Penalties; and/or
- Prosecution for offences under the Act. Upon conviction by a court,
  - A corporation is subject to a fine of up to \$250,000;
  - An individual is subject to a fine of up to \$100,000, a prison term of up to one year, or both; and
  - 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.

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 by **October 4, 2010** 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;
- Have stopped holding yourself out as the operator of a private career college without being registered;
- Have stopped delivering vocational programs that are not approved by the Superintendent of Private Career Colleges;
- Have stopped enrolling students into unapproved vocational programs that require approval;
- Have provided the ministry with a list including the names and addresses of all current and former students;
- Have provided refunds to students who 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; and
- Are holding student files to be available for the Superintendent's staff to review.

If Highway Truck Training Inc. is currently *operating* as an unregistered Private Career College, this action would also be contrary to section 7 of the Act. Highway Truck Training Inc. would then be required to **immediately** take the steps outlined below in this order to comply with the Act.

Specifically, Highway Truck Training Inc.:

- Must stop operating an unregistered Private Career College; and
- Will not reopen as a Private Career College until such time, if any, as it has been registered.

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](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.

Pursuant to sections 49(2) and 49(6) of the Act, this order is published on the Ministry of Training, Colleges and Universities' website.

Kindly govern yourself accordingly,

ORIGINAL SIGNED BY

Allan Scott  
Superintendent of Private Career Colleges

## Schedule "A"

### Detailed Reasons and Findings

#### **OPERATION "Brake Down"**

Pursuant to subsection 23(1) of the *Private Career Colleges Act, 2005* ("PCCA, 2005"), private career colleges that offer commercial driver programs which lead to commercial driver licensing examinations, governed under the Ontario Regulation 341/94 Driver Licence Examinations of the *Highway Traffic Act*, must have the programs approved by the Superintendent of Private Career Colleges.

In response to a concern about unapproved commercial driver programs, and their potential impact on public safety, Operation "Brake Down" was launched. Its purpose was to identify illegal operators offering unapproved vocational programs that require approval under the Private Career Colleges Act, 2005 and to take the necessary enforcement action against them. This institution was identified as part of this operation.

The Superintendent has issued this order based on the following findings and supporting facts and evidence:

#### **Contravention of section 11 of the Act – Restrictions on Advertising and Soliciting**

Ministry staff reviewed the website [http://www.goldbook.ca/brampton/Driving-Instruction/18667\\_Highway-Truck-Training-Inc.html](http://www.goldbook.ca/brampton/Driving-Instruction/18667_Highway-Truck-Training-Inc.html). The web advertising provides an address and contact phone number for Highway Truck Training Inc. operating as Highway Truck Training Inc. and lists the courses they offer, including Class AZ, B, airbrake and forklift. The advertisement also specifies "120 hours on road to get insurance discount."

On June 24, 2010, a designate of the Superintendent telephoned the number provided in the advertisement listed above (905-565-7536) and spoke to Gino, who identified himself as a partial owner. Gino advised the designate of the following:

- They have AZ course costing \$2,600 which takes 2-3 months to complete at a length of 120 hours, with 45 hours spent in the truck.
- Students must pay an additional \$75 for the road test.
- Students can pay for the course in instalments.
- Upon completion of the course, the school issues a school certification of completion and an insurance letter which is good for one year.
- Training in the truck is one-on-one and there are 10 students in the class.
- Classes are currently going on.

As the telephone number 905-565-7536 is provided in internet advertising for Highway Truck Training Inc. and also for G & Sons Trucking, a designate placed a follow-up telephone call to that telephone number on September 13, 2010. The male who answered the telephone advised that the designate had called "G & Sons" and that they were a division of Highway Truck Training.

AZ training corresponds to National Occupational Classification (NOC) code 7411 – Other Truck Drivers.

Based on the preceding information the AZ course at a length of 120 hours at a fee of \$2,600 fits the definition of a vocational program requiring the approval of the Superintendent according to the Act. Since this institution is not registered and this program is not approved, advertising of same is prohibited in accordance with Section 11(1) and (2) of the Act respectively.

### **Contravention of section 7 of the PCCA – Prohibition against operating a private career college**

Under section 7(2) of the Act, no person shall hold themselves out as the operation of a private career college unless the person is registered. Based on the fact that Gino identified himself as a partial owner to the designate and that he described the unapproved vocational course being delivered, it is clear that Highway Truck Training Inc. operating as Highway Truck Training Inc. is in contravention of section 7(2) of the Act.

### **Contravention of section 8(1) of the PCCA – Prohibition against providing vocational programs**

On June 24, 2010, a designate of the Superintendent telephoned the number provided in the advertisement listed above (905-565-7536) and spoke to Gino, who identified himself as a partial owner. Gino advised the designate of the following:

- They have AZ course costing \$2,600 which takes 2-3 months to complete at a length of 120 hours, with 45 hours spent in the truck.
- Students must pay an additional \$75 for the road test.
- Students can pay for the course in instalments.
- Upon completion of the course, the school issues a school certification of completion and an insurance letter which is good for one year.
- Training in the truck is one-on-one and there are 10 students in the class.
- Classes are currently going on.

The preceding information demonstrates that Highway Truck Training Inc. operating as Highway Truck Training Inc. is currently delivering an unapproved vocational program. Therefore, since Highway Truck Training Inc. operating as Highway Truck Training Inc. is not registered as a private career college under

the Act, and the AZ program is not approved by the Superintendent, delivering the program is prohibited in accordance with section 8 of the Act.

## **Background**

### **i) Tip**

On June 21, 2010 the Ministry received a tip about Highway Truck Training Inc. and a link to a website ([http://www.goldbook.ca/brampton/Driving-Instruction/18667\\_Highway-Truck-Training-Inc.html](http://www.goldbook.ca/brampton/Driving-Instruction/18667_Highway-Truck-Training-Inc.html)) advertising the school.

### **ii) Legal & Operating Names**

An ONBIS search conducted on September 13, 2010 shows that Highway Truck Training Inc. is an active Ontario business corporation incorporated on January 24, 2000. The registered office address is 22 Southbend Drive, Brampton, ON, L7A 1J4.

Gurnam G.S. Singh is listed as a Director and an Officer at 43 Cassis Drive, Etobicoke, ON M9V 4Z4. Surjit Kajr is listed as a Director and an Officer at 43 Cassis Drive, Etobicoke, ON M9V 4Z4. Surjit Kaur is listed as a Director and an Officer at 6190 Atlantic Avenue, Mississauga, ON, L5T 1W3.

There is no registered business name for Highway Truck Training Inc.

An ONBIS search conducted on September 13, 2010 also shows that 982955 Ontario Limited known as G & Sons Trucking is an active Ontario corporation incorporated on April 7, 1992. The registered office address is 73 Stafford Drive, Brampton, ON L6T 4W8.

Gurnam Singh is listed as a Director and an Officer at 6033 Shawson Drive, Mississauga, ON L5T 1H8. Surjit Kaur is listed as a Director and Officer (Vice President) at the same address and additionally 6190 Atlantic Avenue, Mississauga, ON L5T 1W3.

There are two expired business names associated with this corporation. The first business name G & Sons Trucking expired on April 6, 1997. The registered corporate address was listed as 43 Cassis Drive, Etobicoke, ON M9V 4Z4. The business name G&Sons Trucking expired on May 22, 2007. The registered corporate address was listed as 43 Cassis Drive, Etobicoke, ON M9V 4Z4. The business name was registered by Gurnam Singh on May 23, 2002.

To summarize, Gurnam Singh is a Director and an Officer of both corporations. A different address is listed for him for each corporation. Surjit Kaur is a Director and an Officer of both corporations with the same address

listed for both corporations. It is unclear whether Surjit Kaur is the same individual as the Surjit Kaur listed for Highway Truck Training Inc. operating as Highway Truck Training Inc. His listed address 43 Cassis Drive, Etobicoke is the same address used for both expired business names for 982955 Ontario Limited known as G & Sons Trucking.

Based on the information provided along with the ONBIS search, a conclusion can be made that these two corporate entities are linked.