

**Particulars of Notice of Contravention and Review Decision**  
S. 49(1) *Private Career Colleges Act, 2005* (“Act”)

July 21, 2011

These particulars are posted following the issuance of an administrative penalty for which a review was requested. Penalties may be reviewed upon request within 15 days of receipt of a Notice of Contravention. The review decision is made considering not only the information originally available at the time the Notice of Contravention was issued, but also any new information not previously available that may have been supplied in support of the request for a review. On review, an administrative penalty may be upheld, rescinded or reduced. A review decision is final.

Original service date: May 4, 2011

Ichiban Sushi House Inc.  
Kevin Lee  
2301 Keele Street Unit 104  
Toronto ON  
M6M 3Z9

<b>Description:</b>	<b>Original Amount:</b>	<b>Review Decision:</b>
<p><b>Act s, 8(1) - Prohibition against providing unapproved vocational programs.</b></p> <p>Ichiban Sushi Academy (Ichiban Sushi) pre-screened a Chef program with the Ministry on December 17, 2010. A response was sent on December 17, 2010 informing the school that the program required the approval of the Superintendent of Private Career Colleges in order to be delivered in Ontario. On February 25, 2011, a designate of the Superintendent (“designate”) contacted Angela Pak, an Administrator at Ichiban Sushi, via email who provided a copy of a course outline for a ‘Professional Program’. The designate followed up with an email communication to Ms. Pak on February 28, 2011 which resulted in Ms. Pak confirming that the Professional Program had a duration of 72 hours and a total cost of \$3,160.00 which exceeds the exemption limits under Section 9(1) of Ontario Regulation 415/06. The Professional Program is classified under National Occupational Classification (NOC) code 6241-Chefs.</p> <p>Based upon the evidence outlined above, the designate came to the reasonable conclusion that Ichiban Sushi is providing a vocational program that requires the approval of the Superintendent in contravention of s.8 of the Act.</p>	<p>Daily penalty of \$1,000</p>	<p>Penalty is reduced to one time \$1,000 penalty.</p> <p>The balance of evidence available indicates that Ichiban Sushi House Inc. was providing unapproved vocational program. Ichiban Sushi House Inc. came into compliance on May 6, 2011.</p>

<p><b>Act, s. 11 - Restrictions on advertising and soliciting</b></p> <p>Ichiban Sushi advertises its website <a href="http://www.ichibansushi.com/college.html">http://www.ichibansushi.com/college.html</a> in Korean. Online Translation of the website produced the following information about the school and its programs:</p> <ul style="list-style-type: none"> <li>• There is a 'Professional program' opportunity</li> <li>• The program develops 'Grilled food experts'</li> <li>• Acknowledged by the Government of Canada</li> <li>• 'Ichiban certificate' (ICJJ) is issued</li> <li>• Complete the process of training period is six weeks...and retail store on-site education (Co-op Program)...For more information contact (416) 247-0500/www.ichibansushi.com</li> </ul> <p>Based on the information obtained in the previous section, specifically the course details supplied by Ms. Pak, and the website evidence offered in this section, the designate came to the reasonable conclusion that the Professional program advertised by Ichiban Sushi is a vocational program that requires approval under the Act. By advertising this program without prior approval from the Superintendent, Ichiban Sushi is in contravention of s.11 of the Act.</p>	<p>Daily penalty of \$1,000</p>	<p>Penalty is reduced to one time \$1,000 penalty.</p> <p>The balance of evidence available indicates that Ichiban Sushi House Inc. was advertising an unapproved vocational program. Ichiban Sushi House Inc. came into compliance on May 6, 2011.</p>
<p><b>Act, s. 7 - Prohibition against operating an unregistered private career college.</b></p> <p>Ichiban Sushi House Inc. is registered with the Ministry of Government Services under the business name "Ichiban Sushi Academy". The corporation is registered as carrying out 'Training &amp; Education' and has been registered in the Province of Ontario since December 14, 2009 and operates out of 104-2301 Keele Street in Toronto, as advertised on its website. This address coincides with the registered business address as listed with the Ministry of Government Services. Angela Pak identifies herself as the college's Administrator in correspondence exchanged with the Superintendent's office. Ms. Pak's email address <a href="mailto:ahpak@ichibansushi.com">ahpak@ichibansushi.com</a> follows the same domain name format as the email addresses listed on the college's website. In an email of February 25, 2011 in response to an inquiry about Ichiban Sushi Academy, Ms. Pak stated "we are always delighted to hear our college is gaining further interest in the larger community". The previous sections of evidence clearly outline that Ichiban Sushi Academy is both providing vocational programs without the approval of the Superintendent and advertising an unregistered private career college. Given the evidence outlined above the Designate came to the reasonable conclusion that the Ichiban Sushi Academy is holding itself out to be an operator of a private career college in contravention of s.7 of the Act.</p>	<p>Daily penalty of \$1,000</p>	<p>Penalty is reduced to one time \$1,000 penalty.</p> <p>The balance of evidence available indicates that Ichiban Sushi House Inc. was operating unregistered private career college. Ichiban Sushi House Inc. came into compliance on May 6, 2011.</p>
<p><b>Total:</b></p>		<p><b>\$3,000</b></p>