



SECOND RESTRAINING ORDER

By Email (iguana97@gmail.com and info@iguana-recording.com) and by Courier

June 15, 2011

Victor Luis Branco, Director
1817453 Ontario Inc. operating as Iguana
and also known as Iguana Recording Arts School
4041 Chesswood Drive
Toronto, ON
M3J 2R8

Dear Mr. Branco:

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 1817453 Ontario Inc. operating as Iguana and also known as Iguana Recording Arts School ("School") has contravened the Act and/or regulations, and I order the School to stop contravening the following provisions of the Act and/or regulations:

- Providing unapproved vocational programs that require approval, in contravention of section 8(1) of the Act;
- Charging fees for unapproved vocational programs that require approval, in contravention of section 9 of the Act;
- Operating an unregistered private career college and holding yourself out as an operator of a private career college; in contravention of section 7 and
- Stop contravening the requirements set out by the Superintendent of Private Career Colleges in the Restraining Order, dated May 19, 2011, in contravention of section 46 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 **June 29, 2011** by registered mail or courier to my attention and confirm that the School:

- Has stopped providing unapproved vocational programs that require approval;
- Has stopped charging fees for unapproved vocational programs that require approval;
- Has stopped operating an unregistered private career college and has stopped holding itself out as an operator of a private career college; and
- Has complied with the requirements set out by the Superintendent of Private Career Colleges in the Restraining Order, dated May 19, 2011.

In addition, the School must provide copies of written correspondence sent to all of its current students notifying that classes in their unapproved vocational programs have ceased. The School will confirm that current students were provided with a copy of this Restraining Order in that correspondence.

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.

Pursuant to sections 49(2) and 49(6) of the Act, this order is published on the Ministry of Training, Colleges and Universities' website. Furthermore, pursuant to section 49 (7) of the Act, I order that this Order, as well as my previous Order dated May 19, 2011, be immediately and completely posted in a conspicuous place at the School such that any person inside the School would have easy and ready access to my Orders. These Orders shall remain posted at the School until further notice. Failure to ensure the Orders are posted, and remain posted, would constitute a contravention of this Order.

Kindly govern yourself accordingly,

ORIGINAL SIGNED BY

Allan Scott
Superintendent of Private Career Colleges

Schedule A– Detailed Reasons for Decision

Context Applicable to all Contraventions

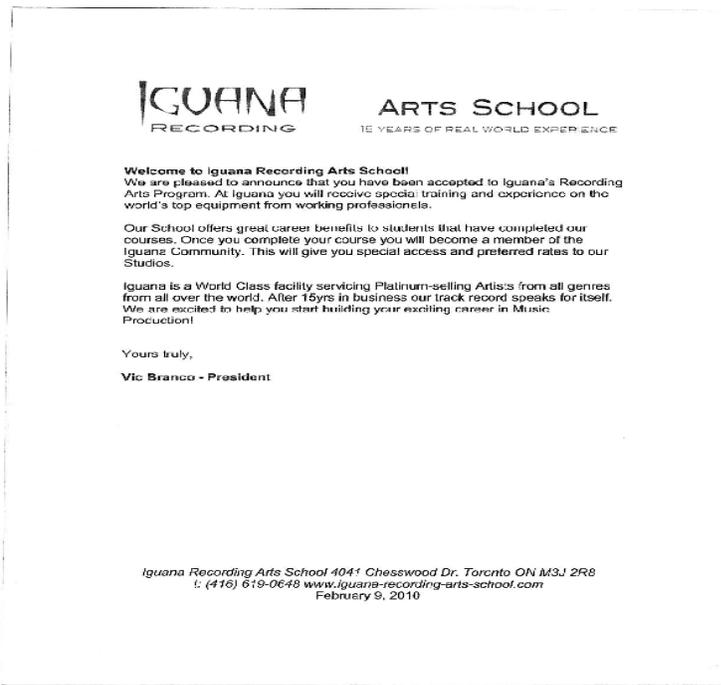
On May 19, 2011, the Superintendent of Private Career Colleges (“Superintendent”) issued a Restraining Order against this School for advertising an unregistered private career college (PCC) and for advertising an Audio Engineering Certificate program requiring approval by the Superintendent under the Act. That program was advertised as over 40 hours in duration and at a cost over \$1,000. In exceeding the exemption limits under section 9(1) of Ontario Regulation 415/06, that program was determined to be vocational. The School was also held in contravention of section 7(2) of the Act for holding itself out as the operator of a PCC.

Contravention of section 8(1) of the Act - Prohibition against providing vocational programs

Under section 8 (1) of the Act, no person shall offer or provide a vocational program for a fee unless the person is registered and the vocational program has been approved by the Superintendent.

On June 7, 2011, a current student spoke to a Designate on the telephone. The student told the Designate that [REDACTED] was actively enrolled in the School and that [REDACTED] originally found out about the School in early 2011 and had enrolled in the School’s Audio Engineering Certificate program.

The student forwarded copies of the following documents provided to [REDACTED] by this School: (i) an acceptance letter; and (ii) an enrolment application and contract. Both appear here:



IGUANA ARTS SCHOOL RECORDING

ENROLLMENT APPLICATION AND CONTRACT

The undersigned applicant hereby makes application as a student of Iguana Recording Arts School as of _____, 2011 for the following:

PROGRAM REQUESTED Audio Engineering Program
Commencing on April 18, 2011 for a period up to 44 weeks

NAME OF APPLICANT MR. [REDACTED]
Address [REDACTED]
City [REDACTED] Province [REDACTED] Postal Code [REDACTED]
Date of Birth [REDACTED] Age [REDACTED] Phone [REDACTED]
Day Month Year

Emergency Phone [REDACTED]

How did you hear about Iguana? Online Search

Tuition Fees \$ 15,000.00
Book Fees \$ NA
International Student Fees \$ NA
(Academic Standing Exemption) \$ NA
Other Compulsory Fees \$ NA
Total Program Fees \$ 15,000.00

Iguana reserves the right to cancel, change the time or reschedule the above named course when sufficient enrolment is not attained. Applicants affected by cancelled classes may elect to transfer their application to the next scheduled class or, upon request, receive a refund of all monies paid.

The undersigned applicant/parent/guardian hereby undertakes and agrees to pay, or see to payment of, the fees mentioned above in accordance with the terms of this Contract.

[REDACTED]

(Applicant's Signature)

In consideration of the payment of fees as mentioned above, Iguana agrees to supply the course of instruction to the applicant upon the terms herein mentioned. Iguana may cancel the application if the above named student does not meet the college entrance standards and prerequisites.

Accepted by [Signature] Date Feb 18/2011 [Signature]
Admissions Office Registrar, Admissions Counsellor, Secretary

www.iguana-recording-arts-school.com
4041 Chesswood Dr. Toronto Ontario M3J 2R8
t: 416 619-0648

Both documents contain the School's letterhead and contact information for the School. The acceptance letter is from Vic Branco, who identifies himself as the President of the School and is in fact the School's Director. The enrolment application and contract specify this student signed up for a 44 week Audio Engineering program costing \$15,000 and commencing on April 18, 2011. The student, a representative of the "Admissions Office" and the "Registrar, Admissions Counsellor, Secretary" signed the enrolment application and contract, which is dated February 18, 2011.

The School also provided the student with an online brochure for [REDACTED] program, which sets out the individual courses and hours for each one and which was forwarded to the Designate. According to the description provided in the brochure, the program is comprised of four terms, 28 courses and 860 total hours. The brochure states that the program will be between 20 to 25 hours per week.

The student told the Designate during the telephone conversation on June 7, 2011 that [REDACTED] had started the program on either April 18 or 20, 2011 and had been attending classes 5 days per week on a full-time basis until the holiday weekend in May (approximately until May 20, 2011). However, the student reported that classes were no longer being held on a full-time basis and that [REDACTED] had only attended a couple of classes “here and there” since the holiday weekend.

On May 19, 2011, Mr. Branco contacted a Designate to inform that the School was not holding itself out as a PCC. On May 26, 2011 in a follow-up to the May 19, 2011 enforcement action, a Designate sent Mr. Branco an email stating that the School could not deliver vocational programs without being a registered PCC and its programs approved by the Superintendent. The following text was included:

“Good Morning Mr. Branco:

The Superintendent of Private Career Colleges, under the authority of the *Private Career Colleges Act, 2005* (PCCA) registers institutions that provide instruction in the skills and knowledge required in order to get a job in a particular vocation. Before these programs can be delivered, the institution must be registered and the program approved.

Until an institution has been registered and its programs approved, it is a violation of the Private Career Colleges Act, 2005 to deliver or advertise the delivery of vocational programs. An institution cannot enrol or collect tuition from students until the registration and program approval process is complete...”

To be clear, Mr. Branco did not and has not to date contacted the Designate seeking clarification of that statement.

The student advised the Designate that [REDACTED] had attended class on “Midi Synthesis” on Thursday, May 26, 2011 (the same date that Mr. Branco received the Designate’s email above). “Midi Synthesis 101” is listed as a class which takes place on Tuesdays and Thursdays between 1:30 am [sic] and 4:30 p.m. on the “Iguana Recording Arts School Spring Semester Class Schedule” provided to this student by the School. The student told the Designate that [REDACTED] then took a test during Music Theory Class; a class which [REDACTED] said is part of the Audio Engineering Certificate program, on Friday, June 3, 2011. “Music Theory 101” is listed as a class which takes place on Fridays between 11:00 a.m. and 1:00 p.m. on the Spring Semester Class Schedule. The student also advised that [REDACTED] was supposed to be in class on Thursday, but that the instructor got into a car accident. The student told the Designate that there is one other student in the class.

The student told the Designate that [REDACTED] was not clear what was going on and did not know why the program was not full-time. Ian Martins is listed as the Instructor for both

Music Theory classes on course outlines provided to this student. According to the student, Ian Martins (who is also the VP - Business Development & Marketing) told [REDACTED] a few weeks ago that the School was going over the schedule and was trying to re-finalize it. The student advised the Designate that [REDACTED] sent a text message to Mr. Martins on June 6, 2011 asking when the next class would be and that Mr. Martins had told [REDACTED] the next class would be on Friday, June 10, 2011.

Other documentary evidence given to this student by the School led the Designate to the reasonable belief that this School is delivering an unapproved vocational program. Specifically, the School provided the student with course outlines for Music Theory (MU 101) and Music Theory (MBU 101). Both courses are 12 hours in length over 12 weeks and list Ian Martins as the instructor. Course content is set out for each week, along with performance objectives and grading.

In addition, this School gave the student a "Student Complaint Procedure" which sets out the process for the resolution of student complaints and a "Student Expulsion Policy Guide," which describes situations which may result in expulsion, notification policies and the process for appeal.

Based on the evidence outlined above, the Designate came to the reasonable belief that the School is still delivering an unapproved vocational program. The Audio Engineering Certificate program corresponds to National Occupational Classification (NOC) code 5225 - Audio and Video Recording Technicians. This School is not registered as a PCC and does not have the approval of the Superintendent to offer or provide an Audio Engineering Certificate program. By providing an unapproved vocational program, the School is acting in contravention of section 8 (1) of the Act.

Contravention of Section 9 of the Act – Prohibition against charging fee

Under section 9 of the Act, no person shall charge or collect a fee in relation to a vocational program unless the person is registered and the vocational program has been approved by the Superintendent.

On June 7, 2011, the student told the Designate that [REDACTED] had paid \$15,000 for the School's Audio Engineering Certificate program. The student forwarded a copy of [REDACTED] Invoice for payment of tuition to the School. The Invoice is dated March 21, 2011 and specifies the School's name, contact information, student's name, contact information, program name and invoice total of \$15,000 paid for the "Audio Engineering Program." The Invoice appears here:



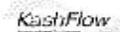
Invoice Number: 84
Invoice Date: 21/03/2011
Due Date: 21/03/2011
Account: MICH01
Purchase Order:

Qty	Description	Rate	Total
1	Audio Engineering Program	15,000.00	15,000.00

Invoice Total: \$15,000.00



Created By



In exceeding the exemption limits under section 9 (1) of Ontario Regulation 415/06, the Audio Engineering Certificate program is vocational. Based on the evidence outlined above, the Designate came to the reasonable belief that the School is in contravention of section 9 (1) of the Act for charging a fee in respect of an unapproved program at an unapproved school.

Contravention of section 7 of the Act – Prohibition against operating a private career college

Section 7(1) of the Act

Under section 7 (1) of the Act, no person shall operate a PCC unless the person is registered. Evidence to follow here will demonstrate that the School has all the hallmarks of an operating PCC:

- Section 8 (1) evidence outlined previously in this notice sets out that this School has at least one active student enrolled and attending classes in an unapproved Audio Engineering Certificate program. That student was issued (i) an acceptance letter; and (ii) an enrolment application and contract. The enrolment application and contract specifies the student signed up for a 44 week Audio Engineering program costing \$15,000 and commencing on April 18, 2011.
- Section 9 evidence also outlined previously in this notice sets out that this School took a fee of \$15,000 from this student for payment for the “Audio Engineering Program” and provided the student with an Invoice as proof of payment.
- The student started the program on either April 18 or 20, 2011 and had been attending classes 5 days per week on a full-time basis until the holiday weekend in May (approximately until May 20, 2011). The student attended class on “Midi Synthesis” on Thursday, May 26, 2011. “Midi Synthesis 101” is listed as a class which takes place on Tuesdays and Thursdays between 1:30 am [sic] and 4:30 p.m. on the “Iguana Recording Arts School Spring Semester Class Schedule” provided to this student by the School. The student then took a test during Music Theory Class; a class which ■ said is part of the Audio Engineering Certificate program, on Friday, June 3, 2011. “Music Theory 101” is listed as a class which takes place on Fridays between 11:00 a.m. and 1:00 p.m. on the Spring Semester Class Schedule.
- This School has a physical location: 4041 Chesswood Drive, Toronto, ON, M3J 2R8. The two Music Theory course outlines provided to the active student specify that the required facilities for the courses include a classroom, white board and projector at end of term.
- The School has an Admissions Office representative and a Registrar, Admissions Counsellor, Secretary, as referenced on the enrolment application and contract. The School has at least one instructor, Ian Martins, whose name is listed on the two Music Theory course outlines the School provided to the student and whom has been communicating with the student by text message, as reported by the student to the Designate. Mr. Martins told the student via text message that the next class would be on Friday, June 10, 2011.
- Victor Branco is the Director of this business and has also authorized the business names registration (“Iguana”) with the Companies Branch of the Ministry of Government Services on February 10, 2010.

- The School provided to the student the following documents outlining its school procedures and processes - a Spring Semester Class Schedule, Student Expulsion Policy Guide, Student Complaint Procedure, an online brochure for the Audio Engineering Certificate program, course outlines for two Music Theory courses and a document showing confirmation of Photo Identification for the student.

Based on this evidence, the Designate came to the reasonable belief that this School is operating an unregistered PCC, in contravention of section 7(1) of the Act.

Section 7(2) of the Act

Under section 7(2) of the Act, no person shall hold themselves out as the operator of a PCC unless the person is registered.

Under the Act, if an institution provides one or more vocational programs to students for a fee they are by definition a PCC. The evidence in the previous section of this notice shows that this School has been delivering an unapproved vocational program.

Subsequent to the issuance of the Restraining Order during a telephone conversation with a Designate on May 19, 2011, Mr. Branco stated that he doesn't have an institution and that he's not a "PCC college". He told the Designate that "this will open up a can of worms for the people in your office" and that "he has worked with all of them." He also stated that he's well-versed with the industry and he's willing to play by the rules and that he "knows the loopholes."

Registered schools are required to establish a procedure to resolve student complaints under section 31(1) of the Act. Required provisions for a PCC's Complaint Procedure are set out in section 36 of Ontario Regulation 415/06 ("Regulation"). Below is a chart showing the complaint procedure requirements which have been adopted by this School in its Student Complaint Procedure:

Section 36 of the Act - Student Complaint Procedure requirements	Requirements adopted by this School in its Complaint Procedure
(a) a requirement that a complaint be made in writing.	√
(b) the person or persons, identified by position, who will decide whether to dismiss the complaint or make a recommendation as to any further action in relation to the complaint.	√ – Vice President
(c) the process to be followed by the private career college in dealing with the complaint which shall include, <ul style="list-style-type: none"> (i) giving the student making the complaint an opportunity to make oral submissions, (ii) allowing the student to have a person present with the student at all stages of the proceedings, and (iii) the right of the student to have the person referred to in 	√

subclause (ii) make the oral submissions on his or her behalf.	
(d) a description of the manner in which complaints, submissions and decisions will be recorded.	√
(e) a maximum length of time that may elapse between the date the complaint is submitted and the date a decision is issued by the college.	√
(f) a requirement that the decision be delivered to the student in writing and include reasons.	√
(g) a procedure for reviewing a decision.	√
(h) a requirement that the college maintain a record of every complaint at the campus where the complaint originated for a period of at least three years from the date of the decision relating to the complaint, which record shall include a copy of the complaint, of any submission filed with respect to the complaint and of the decision.	Partly - The policy states that A copy of the student complaint will be placed in the Campus Student Complaint Binder for a minimum of 3 years.
(i) a requirement that the college provide the student who makes a complaint with a copy of the record referred to in clause (h).	Partly - a copy of the original signed copy of the student complaint form is given to the student.

The fact that this School fashioned its own complaint procedure after the requirements in the Act and Regulation demonstrate that this School was fully aware of the registration requirements for PCCs.

Section 36(2) of the Regulation provides that if a student is not satisfied with a PCC's resolution of his or her complaint, the student may refer the matter to the Superintendent. The depth of this School's ruse is such that it adopted this provision in paragraph 6 of its own Student Complaint Procedure, as follows:

"If the student is not satisfied with the college's decision after the review process, he/she can file a complaint with the Superintendent of private career colleges, [sic] provided the student is attending a program approved under the Private Career Colleges Act, 2005."

As part of its "Student Expulsion Policy Guide" this School also provided a means of review for students to the Ministry, as follows:

"A student, whose expulsion is upheld after having following Iguana Recording Arts School's student complaint and appeal procedure, may file a further appeal through the Complaints process of the Ministry of Training, College and Universities, providing the students are attending a program approved under the Private Career Colleges Act, 2005."

The only reasonable outcome from using these statements in its school operating procedures is to mislead students attending this School into believing there is a further avenue of review for student complaints to this Ministry. This School knew it was not

registered, and was therefore fully cognizant of the fact that its students would not be able to enjoy the protections afforded to vocational students under the Act. One of those rights includes a right of referral of student complaints to the Superintendent after a student has exhausted a registered PCC's own complaint procedure.

The following additional evidence led the Designate to the reasonable belief that this School is holding itself out as the operator of a private career college without being registered:

- The student's Acceptance Letter, written by Vic Branco, the President of the School and Director of the corporation, states: "Welcome to Iguana Recording Arts School!" in bold type. The document states that the student has been accepted into the School's Recording Arts Program and also states: "Our School offers great career benefits to students that have completed our courses..."
- In the student's enrolment application and contract, the name "Iguana Recording Arts School" is used, an Admissions Office representative and the Registrar, Admissions Counsellor, Secretary signed the document and the business refers to itself as a "college" by stating:

"The undersigned applicant hereby makes application as a student of *Iguana Recording Arts School* as of _____, 2011..."

"...In consideration of the payment of fees...Iguana agrees to supply the course of instruction to the applicant upon the terms herein mentioned. Iguana may cancel the application if the above named student does not meet the college entrance standards and prerequisites;"

- The name "Iguana Recording Arts School" appears at the top of the Tuition Invoice provided to the active student, along with the address for the School (4041 Chesswood Dr, Toronto, ON M3J 2R8), telephone number (416-619-0648) and email address (info@iguana-recording.com).
- On the Photo Identification document provided to the student, Ian Martins is identified as the Director of Admissions at Iguana Recording Arts School and the Registrar (although the signature is illegible) signed the document along with the student.
- The School provided the student with an "Iguana Recording Arts School Spring Semester Class Schedule" for his Audio Engineering Certificate program.
- The School's "Online Brochure" for the program provided to the student advertises the following:
 - "Up to 1000 hours of hands on studio training;"
 - "Learn in a WORLD CLASS Recording Studio"

- That the program is comprised of four terms and 28 courses (which totals 860 total hours);
- That the program will be between 20 to 25 hours per week and that students must be assessed in an interview with the “Director of Admissions;”
- In the F.A.Q.? Section, it states: ”Q: How many hours will I be at school each week? Can I work while I attend? A: Your program will be between 20-25hrs [sic] a week. Because class sizes are small and our program has more direct hands-on approach, you should be able to work part time if you choose;” and
- “Classes are held in a world-class state of the art recording facility that features Canada’s largest SSL Console, a 4082 SSL, Pro Tools HD 3 and our labs are equipped with the latest IMacs running all the latest versions of Pro Tools, Logic and Reason.”

Based on this evidence, the Designate came to the reasonable belief that this School is holding itself out as a private career college and operating as one without being registered, in contravention of section 7 of the Act.

Failure to comply with an order of the Superintendent made under section 46 of the Act

On May 19, 2011, the Superintendent issued a restraining order under section 46 of the Private Career Colleges Act, 2005 against 1817453 Ontario Inc. operating as Iguana and also known as Iguana Recording Arts School. That order contained the following paragraphs:

“As the Superintendent of Private Career Colleges, I believe that 1817453 Ontario Inc. operating as Iguana and also known as Iguana Recording Arts School (“School”) 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 an unregistered private career college and advertising unapproved vocational programs, contrary to subsections 11(1) and (2) of the Act, respectively; and
- Holding itself out as the operator of a private career college without being registered, contrary to section 7 of that Act.

...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 **May 27, 2011** by registered mail or courier to my attention and confirm that the School:

- Has stopped advertising an unregistered private career college and unapproved vocational programs that require approval;

- Has stopped holding itself out as the operator of a private career college; and
- Has pre-screened all of its programs, including the Urban Music Production Certificate, Electronics & Studio Devices Certificate and Advanced Protocols & SSL Post Graduate Certificate.”

The Designate came to the reasonable belief that this School is holding itself out as the operator of a private career college and operating as a private career college in contravention of section 7 of the Act based on the evidence outlined in the above section of this notice. Highlighted is the fact that this School:

- Has at least one active student enrolled and attending classes in an unapproved Audio Engineering Certificate program. The student signed up for a 44 week Audio Engineering program costing \$15,000 and commencing on April 18, 2011;
- Took a fee of \$15,000 from this student for payment for the “Audio Engineering Program” and provided the student with an Invoice as proof of payment;
- Issued to the student a number of documents outlining the policies and procedures of the School, including an “Iguana Recording Arts School Spring Semester Class Schedule” for his Audio Engineering Certificate program, an “Online Brochure” for the program, a “Student Complaint Procedure, and a “Student Expulsion Policy Guide;”
- Has a physical location: 4041 Chesswood Drive, Toronto, ON, M3J 2R8;
- Has an Admissions Office representative and a Registrar, Admissions Counsellor, Secretary, as referenced on the enrolment application and contract;
- Has at least one instructor, Ian Martins, whose name is listed on the two Music Theory course outlines. Ian Martins is also identified as the Director of Admissions at this School on the Photo Identification document provided to the active student;
- Fashioned its own Complaint Procedure after the requirements in the Act and Regulation;
- Misled students attending this School into believing there is a right of referral of student complaints to the Superintendent after a student has exhausted a registered PCC’s own complaint procedure. The School did this knowing it was not registered, and was therefore fully cognizant of the fact that its students would not be able to enjoy the protections afforded to vocational students attending registered PCCs under the Act;
- References itself as a “School” and/or a “College” in its own printed documentation, including the Acceptance Letter (written by Vic Branco), enrolment application and contract; and

- Provided the student with an “Online Brochure” for the 860 hour program which advertises “Up to 1000 hours of hands on studio training;” that the program will be between 20 to 25 hours per week, that students must be assessed in an interview with the Director of Admissions; that classes are held in a world-class state of the art recording facility.

Based on the evidence outlined in this section, the Designate came to the reasonable belief that the School has failed to comply with the order of the Superintendent issued on May 19, 2011 under section 46 of the PCCA, 2005 which specifically prohibited this School for holding itself out as the operator of a private career college, as per section 7 of the Act.

Background

A tip was received about this School on April 6, 2011. A link to the School’s website (<http://www.iguana-recording-arts-school.com/>) was included.

Legal and Operating Names

An ONBIS search conducted on June 13, 2011 shows that 1817453 Ontario Inc. is an active Ontario corporation which was incorporated on February 10, 2010. The registered office and principal office address in Ontario is listed as 4081 Chesswood Drive, North York, ON M3L 2R8. The Director’s name is Victor Luis Branco, who is listed at the same address.

An ONBIS business names search conducted on June 14, 2011 shows that the registered business name for 1817453 Ontario Inc. is Iguana. That business name was registered on February 10, 2010 and expires on February 9, 2015. It carries on “recording.” The registered office address for the business name is 4041 Chesswood Drive, North York. Victor Branco authorized the business names registration on February 10, 2010. The School has used the name “Iguana Recording Arts School,” throughout its written documentation (e.g., online advertising, student invoice), however, an ONBIS search conducted on June 14, 2011 produced no results for this business name. Consequently, this School is “also known as” Iguana Recording Arts School.” A courier was unable to deliver documents to 4081 Chesswood Drive in North York in May 2011, therefore, only 4041 Chesswood Drive in North York will be served.

As outlined in the May 19, 2011 Restraining Order, Iguana Recording (<http://www.iguana-recording.com/>) appears to be a related business operating under the same corporate entity.

An ONBIS search conducted on June 14, 2011 also shows that Victor Luis Branco registered the business name Iguana Productions under a sole proprietorship on May 8, 2006, however, the business name expired on May 7, 2011. The listed address is 4041 Chesswood Drive, North York, ON M3L 2R8. An internet search of “Vic Branco” conducted on June 14, 2011 shows that Iguana Recording is also advertised on the website <http://www.slitherproductions.com/iguanarecording.html>. The address for

Iguana Recording on that website is 4041 Chesswood Drive, North York, ON M3L 2R8, the same address as listed for 1817453 Ontario Inc.

In addition, an ONBIS search conducted on June 14, 2011 shows that another corporation, 1108418 Ontario Inc., was incorporated on December 7, 1994, but subsequently cancelled. Different Directors and Officers are listed. The business name Iguana Recording was registered to this corporation on July 13, 1999 and expired on July 12, 2004. The corporate address registered for the business name was also 4041 Chesswood Drive, Downsview, ON M3J 2R8.

PRIOR COMPLIANCE WARNINGS AND PRE-SCREENING APPLICATION

On February 15, 2010, the School submitted its first pre-screening application to the Private Career Colleges Branch for a 960 hour/40 week Audio Recording program at a cost of \$14,900. On March 3, 2010, a Designate sent a letter to Vic Branco of Iguana at 4041 Chesswood Drive, Toronto, ON M3J 2R8 advising that the program must be approved by the Superintendent and that it must not deliver this training until such time as it has been registered as a PCC.

On May 19, 2011, the Superintendent issued a Restraining Order against this School for advertising an unregistered PCC and for advertising an unapproved vocational program (Audio Engineering Certificate program) which required approval by the Superintendent under the Act. The School was also held in contravention of section 7 of the Act for holding itself out as the operator of a PCC. As required by that Restraining Order of May 19, 2011, the School then submitted pre-screening applications on May 26, 2011 for the following programs:

- 1) Urban Music Production 1, consisting of 35 hours/5 weeks and costing \$997;
- 2) Advanced Pro Tools & SSL, consisting of 35 hours/5 weeks and costing \$997;
- 3) Electronics and Studio Devices, consisting of 35 hours/5 weeks and costing \$997;
- 4) Audio Recording, consisting of 35 hours/5 weeks and costing \$997; and
- 5) Audio Engineering, consisting of 35 hours/5 weeks and costing \$997.

On May 26, 2011, Mr. Branco received an email from a Designate outlining that the School could not deliver vocational programs without being a registered PCC and having received approval for the program, as described in the previous section. Irrespective of receiving that direction, the School actually taught the active student a class on "Midi Synthesis" on the same day; May 26, 2011. To be clear, Mr. Branco did not and has not to date contacted the Designate seeking clarification of that statement.

Despite being aware of its requirement to register in order to provide vocational programs, in flagrant disregard for the Act and regulations, this School is currently operating as an unregistered private career college and providing an unapproved vocational program. Contrary to what the School has been telling its active student, **the School has not even started to file any application for registration or program approval.**