

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 Email ([ian@iguana-recording.com](mailto:ian@iguana-recording.com) and [info@iguana-recording.com](mailto:info@iguana-recording.com)) and  
by courier**

May 19, 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

and

4081 Chesswood Drive  
North York, ON M3L 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:

- 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.

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 **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.

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,

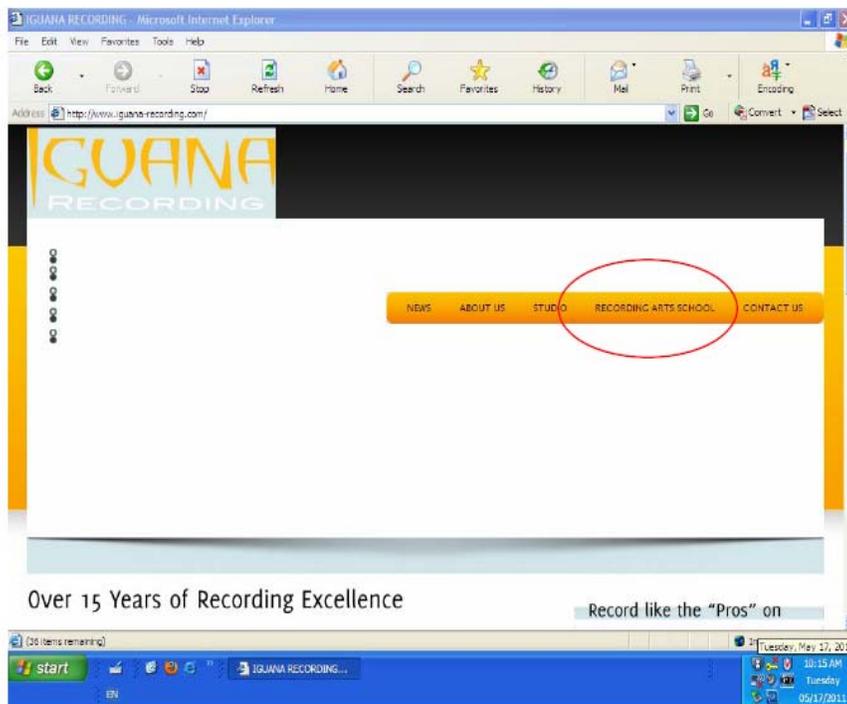
ORIGINAL SIGNED BY

Allan Scott  
Superintendent of Private Career Colleges

## Contravention of section 11 of the Act – Restrictions on advertising and soliciting

Under section 11 of the Act, no person shall advertise a private career college or advertise the provision of a vocational program unless the person is registered and the vocational program has been approved by the Superintendent of Private Career Colleges (“Superintendent”).

Advertising for this School was viewed by a Designate of the Superintendent (“Designate”) on April 28, 2011. Iguana Recording’s website (<http://www.iguana-recording.com/>) provides a link called “Recording Arts School” on its website, as shown below. Iguana Recording is a recording studio which appears to be a related business operating under the same corporate entity as the School.



The Designate clicked on the link and was redirected to another website ([www.iguana-recording-arts-school.com](http://www.iguana-recording-arts-school.com)) providing the website advertising for the School. The following evidence from the School’s website led a Designate to the reasonable belief that this School is advertising itself as a private career college:

- The name of the School (Iguana Recording Arts School), address (4041 Chesswood Drive, Toronto, ON, M3J 2R8) and contact telephone number (416)-619-0648) appears on the School’s website;
- The “Campus” webpage advertises the existence of a physical location as follows: “The Iguana Recording Arts School is located in Toronto, Ontario:

one of Canada's most exciting, dynamic and creative cities. We are located minutes from the downtown core...;"

- The "About Us" webpage states: "...Our classes are held in a world-class state of the art recording facility that features Canada's largest SSL Console..." and "...Toronto, Canada's most affordable professional Audio Production program. Iguana has created an inspiring environment for tomorrow's Producers and Engineers by offering a 'Real World' Studio learning experience...;"
- The "Programs" webpage provides: "Our Program is comprehensive and designed to teach students the art of recording music. From basic fundamentals to advanced specialization in engineering, production and technical audio. Iguana will focus on specific techniques that are required industry standards not offered at other schools;"
- A detailed description of faculty members is provided with biographies and photographs; and
- In the webpage entitled "A Letter from the President," Vic Brando describes his rationale and method for setting up this college and its educational program, as well as their educational vision. That Letter appears here:

Iguana Recording Arts School » Letter From The President



You are here: [Home](#) » Letter From The President

The Iguana Recording Arts School is the result of a creative community vision that I have strived to build for some time. As an artist, producer, manager and owner of one of Canada's premier recording facilities for the past 25 years, my experiences have allowed me to gain insight and expertise into the many needs and requirements of the professional recording industry. After years of hiring students from many schools throughout Canada, I realized there existed a need for the development of a comprehensive training program and curriculum for students interested in pursuing professional careers in the recording arts.

My response was to put together a team of instructors from the ranks of industry working professionals who share one common goal: to establish a new, independent recording arts school with the unique focus of advancing student learning and success through training in a real-world studio. This has resulted in the creation of an educational program and learning environment where students gain transferable experience in the recording arts through hands-on training in a world-class recording studio.

Our state-of-the-art facility boasts many platforms and tools including a 4082 SSL console and the latest digital media multi-track systems. We also have designed our program to feature small class sizes for a more direct and personal learning experience, and technical audio and recording courses that are comprehensive and feature techniques in recording and digital editing not offered at other schools.

Our educational vision, coupled with the desire to inspire and train engineers, producers and musicians of all levels, has positioned Iguana at the leading edge of the recording arts industry. Through the Iguana educational experience, we seek to bring and share life long experiences, passion, dedication and expertise to the development of the engineers, producers and artists of tomorrow!

I hope to see you in the studio soon!

Sincerely,

Vic Brando  
President

<http://www.iguana-recording-arts-school.com/letter-from-the-president>[04/28/2011 12:41:03 PM]

4041 Chesswood D  
ON Canada M3J 2R  
(416)-619-0648  
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Educational Commitm  
Student Commitment

The School is advertising an unapproved Audio Engineering Certificate on its website (<http://www.iguana-recording-arts-school.com>) as follows:

“This certificate program is our most inclusive program. With 28 separate courses, and our a-la-carte modular curriculum you can work your way towards obtaining our Audio Engineering Certificate at your own pace. With classes running all year round you no longer have to wait for a traditional start date.

Why spend your time and money learning in a “simulated” lab environment, when you could go to class in a real multi-platinum selling recording studio.”

The “FAQ’s” webpage states that classes start four times per year in January, April, July and October, that students need to have an Ontario Secondary School Diploma (or equivalent) or be at least 18 years of age and complete a Wanderlust [*sic*] Scholastic Level Exam (SLE) and that the program will be between 20 to 25 hours per week.

On April 28, 2011 a Designate emailed the School to inquire about the cost, next start date and class schedule for the Audio Engineering Certificate. On May 4, 2011, the Designate received an email response from Mr. Martins, who identified himself as the VP - Business Development & Marketing for the School. Mr. Martins advised in the email that the “engineering program” has a modular curriculum allowing students to customize their schedule and education. Mr. Martins invited the Designate to come to the studio, both to meet with him and for the purpose of putting something together to meet the Designate’s needs. He also invited the Designate to call him at the number provided (416-619-0648) in the email. This is the telephone number listed on the School’s website ([www.iguana-recording-arts-school.com](http://www.iguana-recording-arts-school.com)). Listed under Mr. Martins’ name in the email are the two websites addresses [www.iguana-recording.com](http://www.iguana-recording.com) and [www.iguana-recording-arts-school.com](http://www.iguana-recording-arts-school.com).

The Designate telephoned Mr. Martins on May 9, 2011 to follow-up on their email correspondence. During the conversation, Mr. Martins advised the Designate of the following:

- The “Recording Engineer” program takes 1.5 to 3 months to complete, with 80 to 100 hours of class time and homework;
- The program and costs anywhere from \$4,000 to \$6,000;
- Full payment of tuition is due upon registration;
- Classes are small with two to three students;
- The next available session starts in two to three weeks; and
- The “Studio Recording/Recording Engineer” program would guarantee a job in recording.

To summarize, this program is 80 to 100 hours in duration at a cost between \$4,000 and \$6,000, which exceeds the exemption limits under Section 9(1) of Ontario Regulation 415/06 and is therefore a vocational program.

The School also advertises an Urban Music Production Certificate and an Electronics & Studio Devices Certificate on its website. These two programs may be vocational under the Act if they provide the skills and knowledge required to obtain employment in a prescribed vocation. If so, these two programs would also require the approval of the Superintendent.

The School's website also advertises an Advanced Protocols & SSL Post Graduate Certificate costing \$3,988 consisting of four courses. This program was introduced on February 7, 2011. If this program is over 40 hours and provides the skills and knowledge required to obtain employment in a prescribed vocation, it would require the approval of the Superintendent.

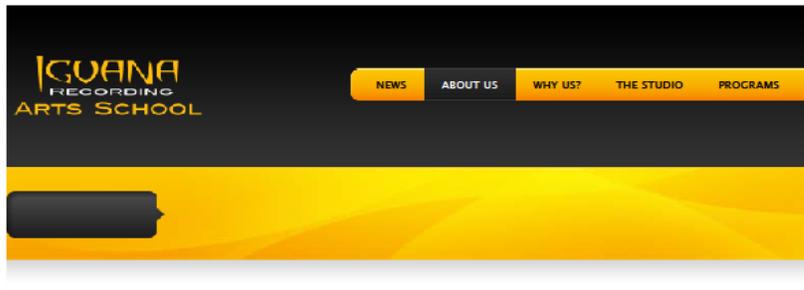
The Audio Engineering Certificate corresponds to National Occupational Classification (NOC) code 5225 - Audio and Video Recording Technicians.

Based upon the evidence obtained, specifically that the Audio Engineering Certificate is over 40 hours in duration at a cost exceeding \$1,000, the Designate came to the reasonable belief that this School is advertising an unregistered private career college and a vocational program that requires approval by the Superintendent under the Act. The School has not obtained approval to offer this program and is therefore in contravention of section 11 of the Act.

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

Under section 7(2) of the Act, no person shall hold themselves out as the operator of a private career college 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 private career college. The evidence offered in the previous section of this Order clearly indicates that the School is advertising an unregistered private career college and an unapproved vocational program.

The description of the school facility where classes are held, class size and program description on the "About Us" webpage also led the Designate to the reasonable conclusion that this School is holding itself out as a private career college. That webpage appears here:



You are here: [Home](#) » [About Us](#)



If you are interested in music production Iguana is where you need to be. Learn from the pros in a "Real World" multi platinum selling studio. Join the Iguana community and benefit from our life experience.

Toronto, Canada's most affordable professional Audio Production program. Iguana has created an inspiring environment for tomorrow's Producers and Engineers by offering a "Real World" Studio learning experience.

Music production requires both technical and artistic skills. If you have an ear for music, we can make your learning experience exciting and fulfilling while giving you the technical training that you'll need to excel in this Industry.

Our classes are held in a world-class state of the art recording facility that features Canada's largest SSL Console. Class sizes are small, giving you extensive hands-on training on a wide range of equipment currently being used by working professionals. The Program is built on a modular curriculum allowing you to customize your schedule.

Iguana remains proud to have extended and maintained our desire and passion for the recording arts with the many artists, producers, engineers and entertainment companies that we've worked with and who remain engaged as part of the wider Iguana community.

Through enrollment in our program, our real life story of recording and relationship building success

[http://www.iguana-recording-arts-school.com/about\\_us/](http://www.iguana-recording-arts-school.com/about_us/)[04/28/2011 12:40:47 PM]

4041 Chesswood Dr  
ON Canada M3J 2R8  
(416)-619-0648  
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The following evidence also led the Designate to the reasonable belief that Vic Branco (Director) and Ian Martins (Vice President) are holding themselves out as the operators of a private career college:

- In his email to the Designate on May 4, 2011, Mr. Martins identified himself as the VP - Business Development & Marketing of Iguana Inc. with the website address for the School listed below his name ([www.iguana-recording-arts-school](http://www.iguana-recording-arts-school.com/));
- The e-mail address ([ian@iguana-recording.com](mailto:ian@iguana-recording.com)) used by Mr. Martins in his email to the Designate matches one of the website addresses associated with the School: <http://www.iguana-recording.com/>;
- During the telephone conversation with the Designate on May 9, 2011, Mr. Martins advised that the Recording Engineer program takes 1.5 to 3 months to complete with 80 to 100 hours of class time and homework at a cost between \$4,000 and \$6,000. Mr. Martins stated that the next available session started in two to three weeks and that full payment of tuition was due upon registration;
- Mr. Martins' "Linkedin" page, as viewed on May 17, 2011, states that he is the Vice President – Business Development & Marketing at Iguana

Recording and that he “Launched Career College for the Recording Arts;” and

- On the website <http://www.rockandrollchallenge.com/judges.htm> which advertised a 2011 rock and roll challenge for the radio station Y 108, Ian Martins and Vic Branco are listed as judges. Ian Martins’ profile states: “...Next Ian will position Iguana College as the leader in recording arts and technology education.” Vic Branco’s profile states that he is the President of Iguana Recording Studios – Director of Education and that “...Vic’s newest project is the launch of The Iguana College of Recording Arts & Technologies, a new independent Recording Arts College, with one goal in mind; to give tomorrow’s Producers and Engineers an inspiring environment in a ‘Real World’ multi-platinum selling studio!”

WHOIS searches for both websites ([www.iguana-recording.com](http://www.iguana-recording.com) and [www.iguana-recording-arts-school.com](http://www.iguana-recording-arts-school.com)) conducted on May 17, 2011 show that HVMP Consulting Inc. located in Oakville, ON is the administrator for both sites. Mr. Martins’ LinkedIn profile shows that he was an administrator at this company from May 2008 to November 2009.

This School is not registered as a private career college. Based on the evidence presented, a Designate came to the reasonable belief that this School is in contravention of section 7 of the Act for holding itself out as the operator of a private career college.

### **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 May 12, 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.

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, which is the same address listed on the school’s website ([www.iguana-recording-arts-school.com](http://www.iguana-recording-arts-school.com)) for the School.

The name on the School’s website ([www.iguana-recording-arts-school.com](http://www.iguana-recording-arts-school.com)) is “Iguana Recording Arts School,” however, this business name has not been

registered to date in Ontario. Consequently, this business is “also known as” Iguana Recording Arts School.”

As indicated in a previous section, a link to the School’s advertising is provided for on the website belonging to Iguana Recording (<http://www.iguana-recording.com/>). Iguana Recording appears to be a related business operating under the same corporate entity.

An ONBIS search conducted on May 12, 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 4081 Chesswood Drive, North York, ON M3L 2R8. An internet search of “Vic Branco” 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 4081 Chesswood Drive, North York, ON M3L 2R8, the same address as 1817453 Ontario Inc.

In addition, ONBIS 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 HAD NO EFFECT**

On February 15, 2010, the School submitted a 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 private career college.

Despite being aware of its requirement to register, the School is currently operating as a private career college, as outlined above.

To date, this School has not registered and has not received the approval of the Superintendent to offer or deliver this vocational program.