

Particulars of Notice of Contravention and Review Decision

S. 49(1) *Private Career Colleges Act, 2005* (“Act”)

August 4, 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 On review, an administrative penalty may be upheld, rescinded or reduced.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: June 16, 2011

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

Description:	Original Amount:	Review Decision:
<p>Act, s. 8 (1) - Prohibition against providing vocational programs</p> <p>On June 7, 2011, a student advised the Ministry of being actively enrolled in this School’s Audio Engineering Certificate program. Documentary evidence forwarded to the Ministry supported same.</p> <p>This School is not registered as a private career college (“PCC”) and does not have the approval of the Superintendent to offer or provide an Audio Engineering Certificate program.</p>	<p>Daily Penalty of \$1,000</p>	<p>Penalty of \$1,000 per day is upheld for June 16, 2011 (inclusive).</p> <p>The balance of evidence available indicates that 1817453 Ontario Inc. was providing an unapproved vocational program.</p>
<p>Act, s. 7 - Prohibition against operating a private career college</p> <p>Evidence provided to the Ministry showed this School had all the hallmarks of an operating PCC including charging a student a fee for an unapproved vocational program and delivering the program to a student. The School had also fashioned its own complaint procedure after the requirements in the Act and Regulation, had provided a means of review for students to the Ministry in its Student Expulsion Policy Guide and referenced itself as a “School” in documents handed out to the student.</p>	<p>Daily Penalty of \$2,000</p>	<p>Penalty is reduced to \$1,000 per day for June 16, 2011 (inclusive).</p> <p>The balance of evidence available indicates that 1817453 Ontario Inc. was operating an unregistered private career college.</p>

<p>Therefore, this School was found to be operating a PCC without being registered and for holding itself out as the operator of a PCC.</p>		
<p>Act, s. 9 - Prohibition against charging fee</p> <p>This School charged a fee of \$15,000 to a student for payment for the unapproved Audio Engineering Program and gave the student an Invoice as proof of payment.</p>	<p>Daily penalty of \$1,000</p>	<p>Penalty of \$1,000 per day is upheld for June 16, 2011 (inclusive).</p> <p>The balance of evidence available indicates that 1817453 Ontario Inc. was charging fees for an unapproved vocational program.</p>
<p>Failure to comply with an order of the Superintendent made under s. 46 of the Act</p> <p>The School was ordered to stop holding itself out as a PCC in contravention of section 7 of the Act in the May 19, 2011 Restraining Order. Subsequent to the issuance of that Order, this School was found to be in contravention of section 7 of the Act based on the evidence outlined above.</p>	<p>Daily penalty of \$1,000</p>	<p>Penalty of \$1,000 per day is upheld for June 16, 2011 (inclusive).</p> <p>The balance of evidence available indicates that 1817453 Ontario Inc. failed to comply with an Order issued to 1817453 Ontario Inc. on May 19, 2011.</p>
Total:		\$4,000