

RESTRAINING ORDER

Served by email (sitdownstay@rogers.com) and by courier

May 4, 2010

Brenda Lowry operating as Kinder Way Canine Studies Career School a.k.a. Kinder Way Canine Studies a.k.a. Brenda and Wayne's Family Pet Services
110 Martin Road
Bowmanville, ON L1C 3N4

Attention: Brenda Lowry

This is a **Restraining Order** issued under the authority of section 46 of the Private Career Colleges Act, 2005 (PCCA, 2005). As the Superintendent of Private Career Colleges, I HEREBY ORDER BRENDA LOWRY TO STOP OPERATING IN CONTRAVENTION OF THE PRIVATE CAREER COLLEGES ACT, 2005 (PCCA, 2005).

The detailed reasons supporting my order are set out in Schedule A, attached. In brief, you are:

- operating as an unregistered private career college, contrary to section 7 of the PCCA, 2005;
- offering vocational programs that are not approved by the Superintendent of Private Career Colleges, contrary to section 8 of the PCCA, 2005; and
- charging fees for an unregistered private career college and unapproved programs, contrary to section 9 of the PCCA, 2005; and
- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively and soliciting students to enrol in an unapproved Private Career College and unapproved vocational programs in Ontario, contrary to section 11(3) of the PCCA, 2005.

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 **immediately** 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 operating as a private career college;

- have stopped providing unapproved vocational programs that require approval;
- have stopped charging fees for unapproved vocational programs that require approval;
- have stopped soliciting students to enrol in an unapproved Private Career College and unapproved vocational programs in Ontario;
- have provided the ministry with a list including the names and addresses of all current students;
- have provided full refunds to students who request refunds in writing and 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;
- are holding student files to be available for the Superintendent's staff to review; and
- will not reopen as a private career college until such time, if any, as it has been registered.

Consequences of Failure to Comply with this Order

Failure to comply with this order may result in any or all of the following actions by the Superintendent:

1. Application for a court order from the Superior Court of Justice to you to comply;
2. The issuance of further Administrative Monetary Penalties.
3. Prosecution for offences under the Act. Upon conviction by a court of that offence, a corporation is subject to a fine of up to \$100,000; an individual, including 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.

Obtaining a Copy of the PCCA, 2005

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.

Sincerely,

ORIGINAL SIGNED BY

Allan Scott
Superintendent
Private Career Colleges

Attachments: Schedule A – Detailed Reasons for Decision

Schedule A – Detailed Reasons for Decision

Contravention of section 11 (1), (2) & (3) of the PCCA, 2005 – Restrictions on Advertising and Soliciting

On April 22, 2010, the Ministry received a tip from a member of the public with a link to a kijiji advertisement for “Kinder Way Canine Studies Career School” (a.k.a. Kinder Way Canine Studies a.k.a. Brenda and Wayne’s Family Pet Services; hereinafter “Kinder Way Canine Studies”).

Ministry staff viewed the March 11, 2010 kijiji advertisement for the school on April 28, 2010. The school was advertising courses for individuals to become a dog trainer, certified behaviour and aggression consultant, professional dog groomer and certified dog walker and pet sitter. The advertisement is as follows:

Free local classifieds

kijiji Free Sign In | Register

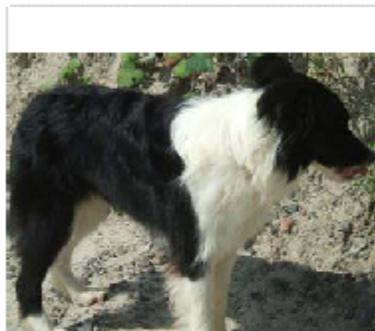
[Browse Ads](#) [Post Ad](#) [My Kijiji](#) [Discussion](#) [Help](#)

All Ads Oshawa / Durham [Change](#)

Kijiji Oshawa > [pets](#) > [animal_pet_services](#) > Ad ID 191407019 [< Previous](#) | [Next](#)

★ **Kinder Way Canine Studies Career School**

[Share](#) | [Print](#) | [Report Ad](#)



[View larger image](#)

Date Listed	11-Mar-10
Last Edited	14-Mar-10
Address	Ontario, Canada

Become a Certified Dog Trainer, Certified Behavior and Aggression Consultant, or maybe you would like a career as a Professional Dog Groomer or perhaps as a Certified Dog Walker and Pet Sitter.

<http://www.brendaandwaynefamilypetservices.com> and click on the link for becoming a Dog Trainer.

This is a very rewarding career, make a difference in the lives of family pets and their owners.

contact brenda at mailto:stidownstay@rogers.com or call 905-419-3647

references from successful graduates of my career school available.

Visits: 206

Poster Contact Information

[Show phone number](#)
<http://www.brendaandwaynefamilypetservices.com>
[View poster's other Ads](#)

[Email Poster](#)



6431

Can't read the code?

[Listen to the code](#)

Verification code

Send me a copy of email

By clicking Send you agree to our [terms of use](#) and [privacy policy](#). Your message will be emailed to the poster and not made public.

Sponsored Links

Invisible Pet Containment

Free Training & Installation! For A Limited Time » Finance At \$20/Month
www.InvisibleFence.com

Dog Grooming Course

Learn how to groom dogs with the Pet Groomer course from ICS Canada.
www.icslearn.ca

Urban Paws

Dog Walking & Pet Services Downtown Toronto
www.urbanpetservice.com

Important Safety Warning:

Avoid fraud by meeting all sellers in-person to pay for items. Kijiji does not offer any transaction or payment services. [Read More Safety Tips](#)

[Help](#) | [About](#) | [Careers](#) | [Privacy Policy](#) | [Terms of Use](#) | [Contact Kijiji](#) | [Popular Searches](#)

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[http://oshawa.kijiji.ca/c-pets-animal-pet-services-Kinder-Way-Canine-Studies-Career-School-W0QQAdIdZ191407019\[04/30/2010 10:33:15 AM\]](http://oshawa.kijiji.ca/c-pets-animal-pet-services-Kinder-Way-Canine-Studies-Career-School-W0QQAdIdZ191407019[04/30/2010 10:33:15 AM])

On April 30, 2010, Ministry staff observed three other active similarly worded advertisements for the same school posted on kijiji on April 23, 2010, April 21, 2010 and March 22, 2010 respectively.

On April 28, 2010, Ministry staff viewed the website link to Kinder Way Canine Studies (<http://brendaandwaynefamilypetservices.com>) provided in the kijiji advertisements. The website provides contact information for Brenda (905-419-3647 or email Brenda

at sitdownstay@rogers.com) and advertises three programs: a “career school for trainers” for people to become Certified Trainer and Certified Behaviour and Aggression Specialists at a cost of \$2,000, a Certified Dog Walker/Pet Sitter Course at a cost of \$1,500 and a Dog Grooming Course at a cost of \$2,000, as follows:

Brenda and Wayne's Family Pet Services - Career School for Trainers



Brenda and Wayne's Family Pet Services
Loving , Reliable Care

Kinder Way Canine Studies

Kinder Way Canine Studies Career School for Trainers was founded in Jan of 2009.

Our mandate is to educate people with a passion for canines to become Certified Trainers and Certified Behavior and Aggression Specialists. This is an online course with the option for hands on training after the written portion is completed.

With our growing population of family pets it is imperative that we provide families with the tools to succesfully train their family pet dogs.

COURSE CONTENT CORRESPONDENCE

- Breed Specific Traits
- Animal Husbandry
- Training Tools
- History of Dog Training
- Operant and Classical Conditioning and how this applies to Dog Training today.
- Dog Training Myths
- Canine Body Language
- 3 levels of Training Lesson Plans
- Hands on Training
- DVDs on Training and Behavior
- How to Identify Behavior and Aggression Problems
- Aggression Solutions
- Behavior Solutions for digging, marking, house soiling , jumping up, excessive barking, chewing, counter surfing, mouthing, nipping and much more
- Case Studies on Behavior Cases and Aggression Cases
- How to market your training business
- How to set up websites and email marketing
- How to handle different personality types in a classroom setting
- Classes vs Private Sessions
- and much much more !!!!!

TUITION

\$2,000 for complete course , includes all text books.

<http://www.brendaandwaynefamilypetservices.com/CareerSchoolforTrainers.html>[04/30/2010 10:12:41 AM]

Brenda and Wayne's Family Pet Services

Loving , Reliable Care



Kinder Way Canine Studies Certified Dog Walker / Pet Sitter Course

The course content is as follows:

- a) Breed Descriptions and Traits
- b) Animal Husbandry, canine, feline , bird , rodent, reptile
- c) Recognizing canine, feline, bird, rodent and reptile body language
- d) Handling disputes between dogs
- e) Resource Guarding
- f) Marketing your new business
- g) Dog Walking / Pet Sitting Associations
- h) Registering your businesses
- i) Insurance pros and cons
- j) Client relations
- i) Communication
- J) Equipment
- K) Duties of a Dog Walker/Pet Sitter
- l) Client forms
- m) Basic Grooming
- n) Onleash walking
- o) Offleash walking
- p) Hands on apprenticing

Course Tuition is \$1,500.00 , includes text books.

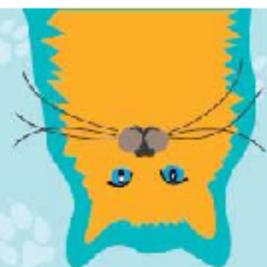
Payment options can be arranged.

Start a new and rewarding career working with animals.

Call Brenda at 905-419-3647 or email Brenda at
sitdownstay@rogers.com

Brenda and Wayne's Family Pet Services

Loving , Reliable Care



Kinder Way Canine Studies

Dog Grooming Course

I am now offering a course for those wishing to become professional dog groomers.

This is a correspondence course as well as hands on once you have passed the exam on the academic portion of the program.

You will learn the following:

- Breeds and Breed Grooms for Family Pet Grooming
- Animal Husbandry
- Animal Health
- Calming Signals
- Positive Grooming Methods
- Equipment
- Grooming Safety
- Attention Cues
- Marketing and Promoting your business
- Professional Business Practises
- and more !

<http://www.brendaandwaynefamilypetservices.com/DogGroomingCourse.html>[04/30/2010 10:16:46 AM]

Ministry staff viewed two other websites belonging to Brenda Lowry advertising vocational programs. The websites provide the exact same name (Brenda Lowry) and contact information as provided on the website described above:

<http://brendaandwaynefamilypetservices.com>. The first website

www.kinderwayscaninestudies.net) provides the following:



KINDER WAY CANINE STUDIES CORRESPONDENCE CAREER SCHOOL

TUITION

- HOME
- ABOUT US
- CURRICULUM
- MENTOR TRAINERS
- CANINE AGGRESSION
- TUITION**
- POST GRAD SUPPORT
- CONTACT US
- GRADUATES
- LINKS

The tuition for the Dog Trainer/Canine Behavior Course is \$1,000

The tuition for the Canine Aggression Course is \$1,000

The increase in the tuition is to accomdate the cost of your Mentor Trainer.

Payments can be arranged.

Payment method is cheque or money order



Practising loose leash walking

Website Designed by Brenda Lowry © 2009 at Homestead™ Make a Website

<http://www.kinderwaycaninestudies.net/TUITION.html>[04/30/2010 10:24:03 AM]

Ministry staff viewed the third website (www.brendagroupdogwalking.com) by following a link provided on www.kinderwaycaninestudies.net. The www.brendagroupdogwalking.com website provides readers with a link to “Check out Brenda’s academy for those wanting a career as a Certified Dog Trainer/Behaviour Specialist” and provides readers with a link to the www.kinderwaycaninestudies.net website. The dog walking website also contains the same contact information for Brenda Lowry as provided on the first two websites on the “Contact Us” page.

Superintendent's designates met with Brenda Lowry, the owner of the business, on April 29, 2010. Ms. Lowry confirmed with the Superintendent's designates that the cost of the dog walker/pet sitter course she is advertising is \$1,500, including textbooks. Although Ms. Lowry advised that there was no limit to the number of hours she would spend with a student, she said that the course would run for approximately three months if a student trained 5 days per week, 3 hours per day and confirmed that the course would take between 150 and 180 hours to complete.

With respect to the Dog Grooming Course, Ms. Lowry confirmed to the designates that the grooming course she is advertising costs \$2,000. It takes at least 3 months to complete, but could take 6 months to 1 year. Ms. Lowry indicated that the program would last at least 180 hours

Ms. Lowry confirmed the \$2,000 cost for the Certified Trainer and Certified Behaviour and Aggression Specialist course she is advertising and stated that this course is longer than the pet grooming course, which was estimated to last at least 180 hours.

On April 28, 2010, Ministry staff noticed that "Brenda L." had posted comments soliciting students to contact her about Kinder Way Canine Studies Correspondence School on Facebook. On March 25, 2010 at 12:06 p.m. she stated "This is a great opportunity for those wishing for a career with animals." On March 31, 2010, in response to another facebook user's request about where to sign up, Brenda L. provides "Hi [REDACTED] You sign up at my email sitdownstay@rogers.com or you can call me at 905-419-3647." This is the same contact information for the school as provided in the kijiji advertisement and on the two websites owned by the school.

Based on the information provided, the dog groomer course, the certified trainer/behaviour/aggression specialist course and the dog walker/pet sitter course all fit the definition of vocational programs according to the PCCA, 2005 and corresponds to National Occupational Classification (NOC) code 6483 Pet Groomers and Animal Care Workers. Therefore, all three programs require the approval of the Superintendent of Private Career Colleges to be offered and advertised as vocational programs and in order for a person to solicit another person to enrol as a student in a vocational program.

Contravention of section 7 of the PCCA, 2005 - Prohibition against operating a private career college

and

Contravention of section 8 of the PCCA, 2005 - Prohibition against providing vocational programs

On April 22, 2010, the Ministry received a tip from a member of the public with a link to a kijiji advertisement for Kinder Way Canine Studies Career School.

On April 27, 2010 at 9:20 p.m., Ministry staff received an email response from Ms. Lowry from the email address (sitdownstay@rogers.com), which is listed in both the kijiji advertisement for the school, dated March 11, 2010 and the three websites advertising this institution (<http://brendaandwaynefamilypetservices.com>, www.kinderwayscaninestudies.net and www.brendagroupdogwalking.com). In that email, Brenda indicates that she is starting a grooming course on the upcoming

weekend and has two students signed up, which is evidence she is operating a private career college and offering an unapproved program. That email is as follows:

Tue, April 27, 2010 9:20:40 PM
Re: question about your programs
From: Brenda Lowry <sitdownstay@rogers.com>

Hi, I was looking at your website on the dog grooming course. Can you please tell me how long the course is?

it will depend on you, I wont shove you out the door until you are comfortable about going out on your own, it could be 6 months minimum and there is no maximum

How many days per week and how many hours/weeks it takes to finish?

it will be on the weekends, and you can pick and choose if you want both weekend days.

Does the \$2000 fee include all taxes and tools to groom the dogs?

there are no taxes and yes I provide you with a starter kit

Will I get a diploma when I am finished?

yes

Do I need to pay the full fee at the beginning of the course or can I pay some of the fees later on?

payments are fine

Do you have a class going on right now and if you do, could I come into your school one day to see how the classes are taught?

I start two grooming students this weekend and yes you can attend if you would like

for the dog walker/pet sitter course, I have some of the same questions. How long is the course? Does the fee include all costs? Can I do both courses at the same time?

again, its up to you, you can do this in as little as 3 months or longer if you need to and yes the fee includes all costs and yes you can do both at the same time

For the certified trainer, certified behavior and aggression specialist, is this one course or 3 courses?

one course

How long is each course?

again, it could take as little as 3 months to as long as you need

Do you need to have any background to be in this course?

no, not at all, I will cover all you need to know

Thank you,

you are welcome :-)

Brenda

On April 29, 2010, during the meeting with Superintendent's designates, Ms. Lowry advised them that a grooming course she is offering is about to begin on Saturday with one student signed up. Ms. Lowry advised that this was the first student she would teach the grooming course to and that the student found out about the grooming course through the website kijiji. The course will be taught in Oshawa in a friend's basement apartment. The student gave a down payment of \$300. Ms. Lowry confirmed to the designates that the grooming course costs \$2,000. It takes at least 3 months to complete, but could take 6 months to 1 year. Ms. Lowry indicated that the program would last at least 180 hours.

Ms. Lowry confirmed the \$2,000 cost for the Certified Trainer and Certified Behaviour and Aggression Specialist course and stated that this course is longer than the pet grooming course, which was estimated to last at least 180 hours. Ms. Lowry advised the designates that she is currently training one student who began the Certified Trainer and Certified Behaviour and Aggression Specialist course in either March or April of this year. The student paid \$1,000 toward the \$2,000 course fee so far. Ms. Lowry advised that students in both courses will receive a certificate at the end.

Ms. Lowry confirmed with the designates that the cost of the dog walker/pet sitter course she is offering is \$1,500, including textbooks. Although Ms. Lowry advised that there was no limit to the number of hours she would spend with a student, she said that the course would run for approximately three months if a student trained 5 days per week, 3 hours per day and confirmed that the course would take between 150 and 180 hours to complete. Ms. Lowry told the designates that she has not taught anyone yet.

All three courses require the approval by the Superintendent of Private Career Colleges to be offered as a vocational program. Consequently, Kinder Way Canine Studies is operating an unregistered private career college and offering unapproved vocational programs, in violation of sections 7 and 8 of the PCCA, 2005.

Contravention of section 9 of the PCCA, 2005 – Prohibition Against Charging Fee

On April 29, 2010, during the meeting with the Superintendent's designates, Ms. Lowry advised that a student had given her a down payment of \$300 for the grooming course she is advertising and offering at \$2,000. On April 30, 2010, Ms. Lowry faxed a copy of the receipt for \$300 she provided to the student, dated April 15, 2010. The receipt has the student's name and specifies "Tuition for Grooming Course."

During the same interview, Ms. Lowry advised the designates that she is currently training one student who began the Certified Trainer and Certified Behaviour and Aggression Specialist course in either March or April of this year. The student paid \$1,000 toward the \$2,000 course fee so far. On April 30, 2010, Ms. Lowry faxed a copy of the receipt for \$1,000 she provided to the student, dated March 5, 2010. The receipt has the student's name and specifies "Tuition for Dog Training Course."

In her email response dated April 27, 2010, Ms. Lowry specified that "payments are fine."

BACKGROUND:

On April 22, 2010, the Ministry received a tip from a member of the public with a link to a kijiji advertisement for "Kinder Way Canine Studies Career School."

Legal and Operating Entities

This business is known as Kinder Way Canine Studies Career School, Kinder Way Canine Studies and Brenda and Wayne's Family Pet Services on various websites and in the kijiji advertisements viewed by Ministry staff.

An ONBIS search conducted on April 28, 2010 produced no record for Kinder Way Canine Studies Career School, Kinder Way Canine Studies or Brenda and Wayne's Family Pet Services. None of these businesses have current business names registrations or are registered as Ontario corporations. A federal corporation search produced no record for any of these businesses. All businesses are deemed to be sole proprietorships operated by Brenda Lowry.

Ministry staff were able to locate the address for the institution using the telephone number (905-419-3647) advertised on the three websites and in the kijiji advertisement. The identified address for the business is 110 Martin Road, Bowmanville, ON L1C 3N4, which is a residential address. Superintendent's designates arrived at this address on 11:00 a.m. on Thursday, April 29, 2010 and found a blue truck in the driveway with the same telephone number and email address (sitdownstay@rogers.com) provided in the other advertising for the business, as well as "Brenda and Wayne" written on the side.



During the meeting with the Superintendent's designates at a nearby location, Brenda Lowry confirmed that she kept her computer which she used for the business at that residential address.