

RESTRAINING ORDER

By email (info@mandrivingschool.com) and courier

December 8, 2010

Deep Mann
Deep Mann known as Mann Driving School
35 Softneedle Avenue
Brampton, ON
L6R 1K4

Attention: Deep Mann

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 Deep Mann known as Mann Driving 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 unapproved vocational programs that require approval, in contravention of section 11 of the Act;
- holding itself out as the operator of a private career college or has stopped operating as a private career college until registered, in contravention of section 7 of the Act; and
- providing unapproved vocational programs that require approval, in contravention of section 8(1) 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 **December 15, 2010** 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 holding yourself out as the operator of a private career college or has stopped operating as a private career college until registered
- Have stopped providing unapproved vocational programs that require approval.

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.

Kindly govern yourself accordingly,

ORIGINAL SIGNED BY

Noah Morris
Superintendent of Private Career Colleges

Attachments: Schedule A – Detailed Reasons for Decision

Schedule "A"

Detailed Reasons for Decision

OPERATION "Brake Down"

Pursuant to subsection 23(1) of the *Private Career Colleges Act, 2005* ("the Act"), private career colleges that offer commercial driver programs which lead to commercial driver licensing examinations, governed under the Ontario Regulation 341/94 Driver Licence Examinations of the *Highway Traffic Act*, must have the programs approved by the Superintendent of Private Career Colleges.

In response to a concern about unapproved commercial driver programs, and their potential impact on public safety, Operation "Brake Down" was launched. Its purpose was to identify illegal operators offering unapproved vocational programs that require approval under the Act and to take the necessary enforcement action against them. This institution was identified as part of this operation.

The Superintendent has issued this order based on the following findings and supporting facts and evidence:

Contravention of section 11 of the Act – Restrictions on Advertising and Soliciting

On October 19, 2010, a Designate of the Superintendent of Private Career Colleges ("Designate") reviewed internet advertising for Mann Driving School at <http://www.manndrivingschool.com>.

The school's "Home" webpage advertises AZ training by qualified industry professionals and specifies that "Our training programs give you the skills and qualifications needed to work in one of the biggest employment sectors in Canada." The webpage also provides: "We offer cost effective AZ, G and forklift classes for Brampton and Mississauga. Our students get quality one-on-one time in the vehicle suited to their license, and will learn many skills, not just in driving..." The webpage also shows a photograph a truck with the school's name on the side.

The screen shot of the "Home" webpage from the school's website appears below:



Mann Driving School
Professional learning from professionals



- Home
- Learn Truck Driving
- Learn Car Driving
- Learn Forklift Driving
- Driving Links
- Contact

Call Now (647) 244-8172

Request for detail...

Name Phone



Our 1000s students on driving seat . . .

Welcome to Mann Driving School. If you require a AZ, G or forklift license and you want to be trained by qualified industry professionals, then look no further. Our training programs give you the skills and qualifications needed to work in one of the biggest employment sectors in Canada. The demand for drivers of Heavy Commercial vehicles has never been greater. Whether you are interested in local or long haul, there are thousands of driving opportunities available in every corner of the country.

Just choose us and become a safe driver....



While we understand something must be done to boost truck driving safety, we also realize trucks are vital to your economy. Our student will be a careful and courteous driver.



You can rely on this driving school with instructors that have a wealth of experience spanning many decades in the transport industry of Ontario.



Training in driving and adhering to all the statutory safety rules. The school has gathered a considerable amount of popularity community due to its high standards of quality and efficiency.



- Home
- Learn Truck Driving
- Learn Car Driving
- Learn Forklift Driving
- Driving Links
- Contact

Call Now **(647) 244-8172**

Request for detail...

Name Phone

You'll be prepared for the AZ!
You'll be prepared for great career!

Passing the AZ Exam quickly, is just one of the expertise throughout our driving schools and with best instructors in Toronto.

Why MannTruck Driving School is your best choice...

Low cost

We offer low cost competitive pricing with group and private training courses.

Individual instruction

Our school has low students per instructor. Others average 10-15.

Graduate in three weeks

Other schools run four to five weeks. Our low student-to-instructor ratio three week program gives you much more driving time, so you graduate faster at Integrity Truck Driving School and get to work.

Learn behind the wheel

80% of the time you spend with us is "behind the wheel" training.

Classes that fit your schedule

Day, evening and weekend courses let you fit training around your present job.

Top instructors

Our experienced instructors have years of over-the-road experience. Their real-life experience will be a big help when you're out there on your own.

Placement assistance

We work with nationally recognized companies to place our graduates in local, regional and national over-the-road jobs.

Modern equipment

Freightliner tractors with 48 @ 53-feet trailers prepare you for today's best trucking jobs

On October 19, 2010, a Designate telephoned the number (647-244-8172) for Mann Driving School provided both on the school's website (<http://www.manndrivingschool.com>) and through a tip to the Ministry. The Designate spoke to Deep Mann, who identified himself as the owner of the school and confirmed that the Designate was calling "Mann Truck Driving School."

Mr. Mann advised the Designate that he has an AZ course costing \$2,000 that includes the airbrake course and unlimited lessons. Mr. Mann stated that the student is guaranteed to pass and unlimited road tests are included, air brake course portion can be taken on Wednesday, Thursday and Friday night and that lessons are 45 minutes in duration and are one-on-one. Mr. Mann confirmed the address for the school (35 Softneedle Avenue, Brampton) and told the Designate that it was his home address.

AZ training corresponds to National Occupational Classification (NOC) code 7411 – Truck Drivers.

Based on the preceding information, the unlimited lesson AZ course at a fee of \$2,000 fits the definition of vocational training requiring the approval of the Superintendent according to the Act. Since Deep Mann known as Mann Driving School is not registered and this program is not approved, advertising of same is prohibited in accordance with Section 11(1) and (2) of the Act, respectively.

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

On October 19, 2010, a Designate telephoned the number (647-244-8172) for Mann Driving School provided both on the school's website (<http://www.manndrivingschool.com>) and through a tip to the Ministry. The Designate spoke to Deep Mann, who identified himself as the owner of the school and confirmed that the Designate was calling "Mann Truck Driving School."

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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. Based on the fact that Deep Mann identified himself as the owner of Mann Driving School and described the unapproved vocational program at the school, Deep Mann known as Mann Driving School is in contravention of section 7(2) of the Act.

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

During the telephone conversation on October 19, 2010 with Deep Mann, he advised the Designate that he has an AZ course costing \$2,000 which includes the airbrake course and unlimited lessons. The student is guaranteed to pass and unlimited road tests are included.

Deep Mann specified to the Designate that courses are “on now.”

This information demonstrates that Deep Mann known as Mann Driving School is offering or providing a vocational program for a fee without being registered and having the vocational program approved by the Superintendent, in contravention of section 8 of the Act.

Background

i) Legal and Operating Names

An ONBIS search conducted on October 20, 2010 produced no corporate registration or business name registration for Mann Driving School.

The school’s website (<http://www.manndrivingschool.com>) specifies the school’s address as 35 Softneedle Avenue, Brampton, ON. During the telephone call with the Designate on October 19, 2010, Deep Mann identified himself as the owner of the school and specified that 35 Softneedle Avenue is his home address.