

**Ministry of Training,
Colleges and Universities**

Office of the Superintendent

Private Career Colleges Branch
9th 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^e étage, édifice Mowat
900, rue Bay
Toronto ON M7A 1L2



RESTRAINING ORDER

By Email (info@modernpetsgroomingacademy.com) and by Courier

March 24, 2011

Ka Man Tso, Director
2166807 Ontario Inc. operating as Modern Pets Grooming Academy
10 East Wilmot Street #19
Richmond Hill, ON L4B 1G9

and

62 Suncrest Boulevard, Ste 708
Thornhill, ON L3T 7Y6

Dear Ka Man Tso:

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 2166807 Ontario Inc. operating as Modern Pets Grooming Academy ("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;
- 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; and
- Operating an unregistered private career college and holding itself out as the operator of a private career college, in contravention of section 7 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 **March 31, 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 providing unapproved vocational programs that require approval;
- Has stopped charging fees for unapproved vocational programs that require approval; and
- Has stopped operating an unregistered private career college and holding yourself out as the operator of a private career college.

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

Allan Scott
Superintendent of Private Career Colleges

Schedule "A"

Detailed Reasons and Findings

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 February 11, 2011, the Private Career Colleges Branch (PCCB) received a student complaint from a student [REDACTED], who had attended Modern Pets Grooming Academy (the School). In the written complaint, [REDACTED] specified the following information:

- She had found out this academy was unregistered when she was taking training;
- She paid \$7,600 "up front" for 7 weeks of professional pet groomer training;
- The teacher's name is Janet Tso; and
- She had not received her certificate to date.

[REDACTED] enclosed an invoice with her student complaint which showed she had paid \$7,604.90 for a "Professional Dog Grooming Course" at the School. The School's name, address and telephone number appear at the top of the invoice, which is dated August 28, 2010.

During a telephone call with a Designate of the Superintendent ("Designate") on March 7, 2011, [REDACTED] stated that she had found out about the dog grooming course on the School's website, said she started the program on September 7, 2010 and confirmed she paid \$7,600. She told the Designate that she generally attended class from 9:00 a.m. to 2:00 p.m. (and sometimes took lunch) on Mondays, Wednesdays, Thursdays and Fridays except for a two-week period (November 12 to 21, 2010) when the owner/instructor (Janet Tso) was on holidays. The last date [REDACTED] attended class at the School was November 22, 2010. [REDACTED] also specified that as a student, she worked on customers' dogs. At the end of the course, she wrote a test and was provided with a certificate in January 2011.

The website belonging to the School (www.modernpetsgroomingacademy.com) advertising itself as a private career college by providing the name of the School (Modern Pets Grooming Academy), address (10 East Wilmot Street #19, Richmond Hill, ON L4B 1G9), telephone number (905-882-4022), email address (info@modernpetsgroomingacademy.com) and a map of the location of the School.

The School's website also reads: "Have you thought about changing your career? Are you a pet lover? Do you wish you can interact with pets everyday for work? Would you like to become a professional certified pet groomer? Have you thought about opening your own grooming store? If the answer is yes to any of the above, then at Modern Pets Grooming Academy is the place for you to learn to become a Professional Pet Groomer. At Modern Pets Grooming Academy we offer courses taught in English, Cantonese and Mandarin. Lots of hands on training."

The same webpage advertises the unapproved vocational courses, as follows:

Certification Grooming Course



The screenshot shows the website for Modern Pets Grooming Academy. The header features the logo with paw prints and the text "MODERN PETS GROOMING ACADEMY" and "摩登寵物美容學院". The date "Tuesday, February 15, 2011" is displayed in the top right. A navigation menu on the left includes links for Home, Grooming Services, Grooming Certification, DIY Course, Dog Training, Day Care, Photo Album, and Contact Us. The main content area is titled "PROFESSIONAL PET GROOMER CERTIFICATION COURSE" and contains a paragraph of text identical to the one in the first block. To the right of the text is a photograph of a dog on a grooming table. Below the text, it says "Click below for course description" and lists three course options with their respective fees and taxes. At the bottom, there is a footer with copyright information and a small logo.

MODERN PETS GROOMING ACADEMY 摩登寵物美容學院

Tuesday, February 15, 2011

PROFESSIONAL PET GROOMER CERTIFICATION COURSE

Have you thought about changing your career? Are you a pet lover? Do you wish you can interact with pets everyday for work? Would you like to become a professional certified pet groomer? Have you thought about opening your own grooming store? If you answer yes to any of the above, then at Modern Pets Grooming Academy is the place for you to learn to become a Professional Pet Groomer. At Modern Pets Grooming Academy we offer courses taught in English, Cantonese and Mandarin. Lots of hands on training.

Click below for course description

- Professional Assistant Dog Groomer Course (\$1280.00 + Taxes)
- Professional Dog Groomer Course (\$5180.00 + Taxes)
- Selective Pet Groomer Course (Please call for quotation)

• Registration Fee: \$200.00 + Taxes
• Equipment: \$1350.00 + Taxes (Students may prepare his /her own equipments.)

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http://www.modernpetsgroomingacademy.com/gm_cert_course.html[02/15/2011 10:22:53 AM]

The following description of the “Professional Dog Groomer Course” is presented when you click on the link for that course:

Level Two Certification Course



Tuesday, February 15, 2011

PROFESSIONAL PET GROOMER

This course is designed to teach the fundamentals of pet grooming: using lectures and hands-on techniques. This includes clipper work and scissoring techniques and variety of breed patterns. The students will learn how to groom dogs, cats, and to recognize the breed standards for dogs listed in the 7 Canadian Kennel Club (CKC) groups. They will also learn to work in a pet grooming salon environment, as well as the professional development techniques required to own and operate a pet grooming business. Students might also have an opportunity to participate in a field trip to local dog shows to familiarize themselves with variety of breeds.

Curriculum Outline

- 7 Dog Groups recognized by CKC
- Proper Handling and Restraint Techniques
- Equipment knowledge, use and care
- Brushing, Dematting, Clipper and Scissoring Techniques
- Ear Care and Anatomy
- Shampoos and Conditioners for different coats and skin
- Pest Control, Recognition, and Care of pets with Infestations
- Anal Gland Expression
- Body Styling and Breed Patterns



[Next Course](#)

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<http://www.modernpetsgroomingacademy.com/level2.html>[02/15/2011 10:23:30 AM]

The following description of the “Professional Assistant Dog Groomer Course” is presented when you click on the link for that course:

MODERN PETS GROOMING ACADEMY 摩登寵物 美容學院

Tuesday, February 15, 2011

PROFESSIONAL ASSISTANT DOG GROOMER

This workshop is especially designed for those who are interested in becoming a professional pet groomer and would like to get a feel of how it is really like. In this two weeks course, an introduction to the pet care industry, grooming, and breed identification will be conducted. There will also be a detailed presentation of the equipment used in the grooming profession. The student will be taught on the selection of proper tools to use for each grooming need.

Curriculum Outline

- Orientation of the pet grooming industry
- Introduction to the 7 Dog Groups recognized by Canadian Kennel Club
- Basic knowledge of dog drives and aggression
- Coat Identification
- Equipment knowledge and care
- Pre-clip procedures (nails, ear, care, dematting)
- Demonstration of clipping and scissoring techniques
- Practical experiences

[Next Course](#)

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<http://www.modernpetsgroomingacademy.com/level1.html>[02/15/2011 10:23:11 AM]

On March 15, 2011, a Designate telephoned the School and spoke to a female who identified herself as Janet, the instructor of the School, and confirmed that the Designate had called “Modern Pets Grooming Academy.”

Janet described Professional Dog Groomer Course which the School offers, as follows: this course prepares you to become a groomer and lasts 7 weeks in duration, 4 days per week from 10:00 a.m. to 5:00 p.m. (totalling 196 hours). The program costs \$5,180, plus \$1,350 for equipment and \$120 for one book. The test is included in the fees. Janet told the Designate that the current Professional Dog Groomer Course was almost finished and that the Designate could start the

course the following week and that they (the School) only takes one to two persons.

█ described the Professional Assistant Dog Groomer Course, which the School offers, as follows: this course prepares you to become an Assistant Dog Groomer “at the end” and lasts 2 weeks in duration, 4 days per week from 10:00 a.m. to 5:00 p.m. (totalling 56 hours). The School’s website specifies that this program costs \$1,280 + taxes.

Based upon the evidence obtained, specifically that the unapproved Professional Dog Groomer Course and that the unapproved Professional Assistant Dog Groomer Course are both over 40 hours in duration at a cost over \$1,000, the Designate came to the reasonable belief that this School is advertising vocational programs that require 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 8(1) of the Act - Prohibition against providing vocational programs

On February 11, 2011, the Private Career Colleges Branch (PCCB) received a student complaint from a student █, who had attended Modern Pets Grooming Academy (the School). In the written complaint, █ specified the following information:

- She had found out this academy was unregistered when she was taking training;
- She paid \$7,600 “up front” for 7 weeks of professional pet groomer training;
- The teacher’s name is Janet Tso; and
- She had not received her certificate to date.

Ms. █ enclosed an invoice with her student complaint which showed she had paid \$7,604.90 for a “Professional Dog Grooming Course” at the School. The School’s name, address and telephone number appear at the top of the invoice, which is dated August 28, 2010. The invoice appears here:

- Grooming Dogs with Behavior [sic] Problems
- Business

At the end of the course, she wrote a test and was provided with a certificate in January 2011. The Certificate of Achievement [sic] provided to [REDACTED] appears here:



In addition, during the telephone call with a Designate on March 15, 2011, Janet of the School offered the Designate the opportunity to start the Professional Dog Grooming course the following week and stated that the School only takes one or two persons. She specified that this course prepares you to become a groomer and lasts 7 weeks in duration and 4 days per week from 10:00 a.m. to 5:00 p.m. (totalling 196 hours). The program costs \$5,180, plus \$1,350 for equipment and \$120 for one book. The test is included in the fees.

Based upon the evidence obtained the Designate came to the reasonable belief that this School is both offering and providing unapproved vocational programs for a fee without being registered and or having received the approval of the Superintendent to provide those programs. The School is therefore in contravention of Section 8(1) of the Act.

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

[REDACTED] enclosed an invoice (which appears in the previous section of this Order) with her student complaint which showed she had paid \$7,604.90 for a “Professional Dog Grooming Course” at the School. The School’s name, address

and telephone number appear at the top of the invoice, which is dated August 28, 2010. During a telephone call with a Designate on March 7, 2011, [REDACTED] stated that she started the program on September 7, 2010 and confirmed she paid \$7,600.

Based on this information and the fact that earlier evidence confirms that [REDACTED] is a student in a vocational program, it is clear that the School is charging or collecting a fee in respect of an unapproved program at an unregistered school, in contravention of section 9 of the Act.

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

The following evidence has formed the basis for the Designate's reasonable belief that the School is holding itself out as the operator of a private career college:

- The School's name, address and telephone number appear at the top of the invoice provided to the student and on the website (www.modernpetsgroomingacademy.com) belonging to the School;
- The evidence offered in the previous section of this Order clearly indicates that the School is advertising an unregistered private career college and unapproved vocational programs;
- The School's website reads: "At Modern Pets we provide not only grooming services but also certification grooming and DIY courses..." and contains a webpage entitled "Professional Pet Groomer Certification Courses" that provides course descriptions for the unapproved Professional Assistant Dog Groomer Course and the Professional Dog Groomer Course;
- The School's website also reads: "Have you thought about changing your career? Are you a pet lover? Do you wish you can interact with pets everyday for work? Would you like to become a professional certified pet groomer? Have you thought about opening your own grooming store? If the answer is yes to any of the above, then at Modern Pets Grooming Academy is the place for you to learn to become a Professional Pet Groomer. At Modern Pets Grooming Academy we offer courses taught in English, Cantonese and Mandarin. Lots of hands on training."
- The School provided the student with a "'Certificate of Achievement" [sic] for completion of the "professional canine grooming course," dated January 27, 2011; and
- During the telephone call with a Designate on March 15, 2011, Janet of the School stated the Designate could come see the School and advised that the School was open weekdays and weekends.

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. This School is not registered as a private career college, and is therefore in contravention of section 7 of the Act for holding itself out as the operator of one.

The evidence outlined in the previous section in which [REDACTED], a vocational student, was actively enrolled in a vocational grooming program, was invoiced for the program and received a certificate upon completion of the program, also led the Designate to the reasonable conclusion that this School is operating as a private career college without being registered in contravention of subsection 7(1) of the Act.

Background:

Legal and Operating Names

An ONBIS search conducted on March 11, 2011 shows that 2166807 Ontario Inc. is an active Ontario business corporation incorporated on March 18, 2008. The registered office address is 10 East Wilmot Street, Suite 19, Richmond Hill, ON L4B 1G9. The business/ mailing/ principal office in Ontario is listed as 62 Suncrest Boulevard, Suite 708, Thornhill, ON L3T 7Y6. Ka Man Tso is listed as both a Director and an Officer at the Suncrest address.

The business name registered for this corporation is Modern Pets Grooming Academy. It was registered on March 18, 2008, the same day as the business was incorporated, and expires on March 17, 2013. The business carries on "Pets Grooming Services & Instruction." The corporate address and principal place of business is listed as 10 East Wilmot Street, Suite 19, Richmond Hill, ON L4B 1G9. The mailing address is listed as 62 Suncrest Boulevard, Suite 708, Thornhill, ON L3T 7Y6.

The exact same business name was registered for the sole proprietorship Modern Pets Grooming Academy on March 14, 2008. The business name expires on March 13, 2013. The business carries on "Pets Grooming Services & Instruction" at the exact same business location: 10 East Wilmot Street, Suite 19, Richmond Hill, ON L4B 1G9. The mailing address is also the same as the one for the active corporation: 62 Suncrest Boulevard, Suite 708, Thornhill, ON L3T 7Y6. Ka man Tso is listed as the sole proprietor at the Suncrest address.