

Ministry of Training,
Colleges and Universities
Private Career Colleges Branch
9th Floor, Mowat Block
900 Bay Street
Toronto ON M7A 1L2

Ministère de la Formation
et des Collèges et Universités
Direction des collèges
privés d'enseignement professionnel
9^e étage, édifice Mowat
900, rue Bay
Toronto ON M7A 1L2



RESTRAINING ORDER

Served by Fax and Courier

March 24, 2010

Mountains System Corporation o/a
Mountains Institute of Technology Canada
50 Acadia Avenue, Suite 120
Markham, Ontario
L3R 0B3

Attention: Sam Shao, President

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 Mountains System Corporation o/a Mountains Institute of Technology Canada 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.

On October 7, 2009, an Immediate Suspension Order, pursuant to s. 20(1) of the PCCA, 2005, followed on October 23, 2009 by a Revocation of Registration, pursuant to s. 18(2) of the PCCA, 2005, was issued against Mountains System Corporation o/a Mountains Institute of Technology Canada.

Mountains System Corporation o/a Mountains Institute of Technology Canada has contravened the PCCA, 2005 and the Superintendent's Order of October 7, 2009 by:

- continuing to advertise as a registered private career college and advertising vocational programs, contrary to the Superintendent's Order dated October 7, 2009 and in contravention of subsections 11(1) and (2) of the PCCA, 2005, respectively;
- holding itself out as a registered private career college, contrary to the Superintendent's Order dated October 7, 2009 and section 7 of the PCCA, 2005.

Mountains System Corporation o/a Mountains Institute of Technology Canada 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 Mountains System Corporation o/a Mountains Institute of Technology Canada:

- is now in compliance with the Superintendent's Order dated October 7, 2009;
- has stopped advertising an unregistered Private Career College and unapproved vocational programs in Ontario;
- has stopped holding itself out as a private career college;
- has stopped providing unapproved vocational programs; and
- is not holding, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs.

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 compel Mountains System Corporation o/a Mountains Institute of Technology Canada to comply;
2. The issuance of Administrative Monetary Penalties.
3. Prosecution for the offence of failure to comply. 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.

Posting of Order

Pursuant to s. 49(7) of the *Private Career Colleges Act, 2005*, I order that a copy of this entire Order be posted in a conspicuous place at the premises of the private career college located at 50 Acadia Avenue, Suite 120, Markham, ON and on all doors leading into that premises.

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 of Private Career Colleges

Attachments: Schedule A – Detailed Reasons for Decision

Schedule A – Detailed Reasons for Decision

Background

Mountains System Corporation o/a Mountains Institute of Technology Canada (“Mountains”) was registered as a private career college on April 7, 2000.

On October 7, 2009, a Superintendent’s Order was issued against Mountains for contraventions of the *Private Career Colleges Act, 2005*. On October 23, 2009 Mountains’ registration was revoked.

Ministry staff became aware of the website www.mountainscollege.com belonging to Mountains Institute of Technology Canada on March 21, 2010.

Legal and Operating Entities

The legal name of the business is Mountains System Corporation. Mountains System Corporation was incorporated in Ontario on July 15, 1999. The corporation has two registered business names:

- Mountains Institute of Technology and
- PowerIT Group Canada

The registered office address is:

50 Acadia Avenue, Suite 120, Markham, Ontario L3R 0B3

Contraventions:

1. Continuing to advertise as a registered private career college and continuing to advertise vocational programs in contravention of the Superintendent’s Order dated October 7, 2009 and in contravention of Subsection 11(1) & (2) of the PCCA, 2005 – Advertising unregistered Private Career College and advertising unapproved vocational programs; and
2. Continuing to hold itself out as a registered private career college, contrary to the Superintendent’s Order dated October 7, 2009 and section 7 of the PCCA, 2005

Ministry staff became aware of the website www.mountainscollege.com belonging to Mountains Institute of Technology Canada on March 21, 2010.

The following advertising materials on the Mountains Institute of Technology Canada website demonstrate that the institution is advertising an unregistered private career college:

The institution’s website refers to itself as a college, as follows:

“Mountains Institute of Technology Canada (MITC) is the one of the private institutions of higher learning and vocational training in Canada registered as a private career college under the Private Career Colleges Act, 2005.”

The institution’s website describes its programs as follows:

“As a regulated institution, Mountains Institute of Technology Canada is a registered private career college under the Ontario Private Career College Act 2005. It specializes in Information Technology, Accounting, Business Administration, Early Child Education, Pharmaceutical Analysis and other technology-driven fields.

MITC provides students with intensive hands-on skills they need to develop skills for a rewarding professional career in fast growing and fast changing industries. MITC also provides a collaborative atmosphere for students to develop actual real teams and study groups, modeled closely on industry practices. With the effort of its qualified and competent faculty, MITC has successfully assisted students by updating their professional skills and changing their career successfully.”

The following programs, included in the website advertisement, are vocational and are not approved by the Superintendent:

- Information Technology
- Accounting, Business Administration
- Early Child Education
- Pharmaceutical Analysis