

RESTRAINING ORDER

Served by e-mail to imatlashewski@ontariofireacademy.com, fax to 519-925-0909 and by courier

April 27, 2010

Ontario Fire Academy Inc.
known as Ontario Fire Academy
27 Homewood Street
Brampton, ON
L6R 1T2

And

RR4
Orangeville, ON
L9W 2Z1

Attention: Larry Matlashewski, Director

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 Ontario Fire Academy Inc. known as Ontario Fire Academy (Ontario Fire Academy) 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, Ontario Fire Academy is:

- 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.

Ontario Fire Academy 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 Ontario Fire Academy:

- has stopped operating as a private career college;
- has stopped providing unapproved vocational programs that require approval;

- has stopped charging fees for unapproved vocational programs that require approval;
- has provided the ministry with a list including the names and addresses of all current students;
- has provided refunds to students who have made a written demand and who were enrolled in unapproved vocational programs that require approval;
- is not holding, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs that require approval;
- is 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 Ontario Fire Academy to comply;
2. The issuance of further 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.

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 <http://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

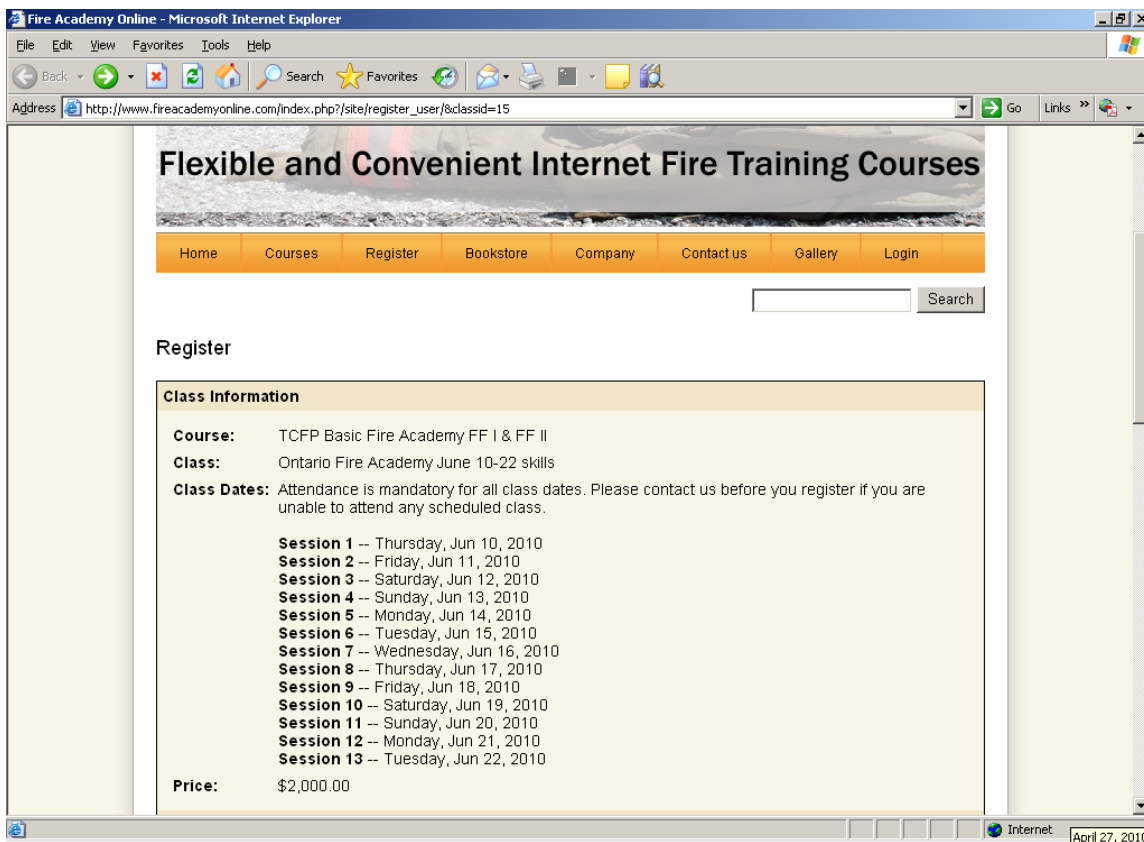
Attachments: Schedule A – Detailed Reasons for Decision

Schedule A – Detailed Reasons for Decision

Contravention of section 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 27, 2010, Ministry staff called Ontario Fire Academy at 1-519-925-1221 and spoke with Sherrie Matlashewski. Sherrie indicated that Ontario Fire Academy was currently offering a full firefighter pre-service program which she defined as Firefighter I & II. She indicated that it was a 12 week program at a cost of \$12, 836. She also indicated that there was a current class of students that were enrolled and receiving training in the program.

Additionally, she indicated 2 of the 12 weeks in the Firefighter I & II program were spent in Texas at the Fire Academy Online, which is a division of Fire Training Specialists LLC, located at 8014 Kirchner Manvel, TX 77578 and has campuses at 260 Clay St. Richmond, Texas 77469 (South campus) and 23550 Loop 494 Porter, Texas 77365 (North Campus). A review of the website www.fireacademyonline.com revealed that the two week session which Sherrie Matlashewski indicated as part of the program, is already been set aside for students of the Ontario Fire Academy as indicated in the screen prints of the website below.



The screenshot shows a Microsoft Internet Explorer browser window displaying the Fire Academy Online website. The address bar shows the URL: http://www.fireacademyonline.com/index.php?site/register_user/&classid=15. The page title is "Flexible and Convenient Internet Fire Training Courses". The navigation menu includes Home, Courses, Register, Bookstore, Company, Contact us, Gallery, and Login. A search box is present. The main content area is titled "Register" and contains the following information:

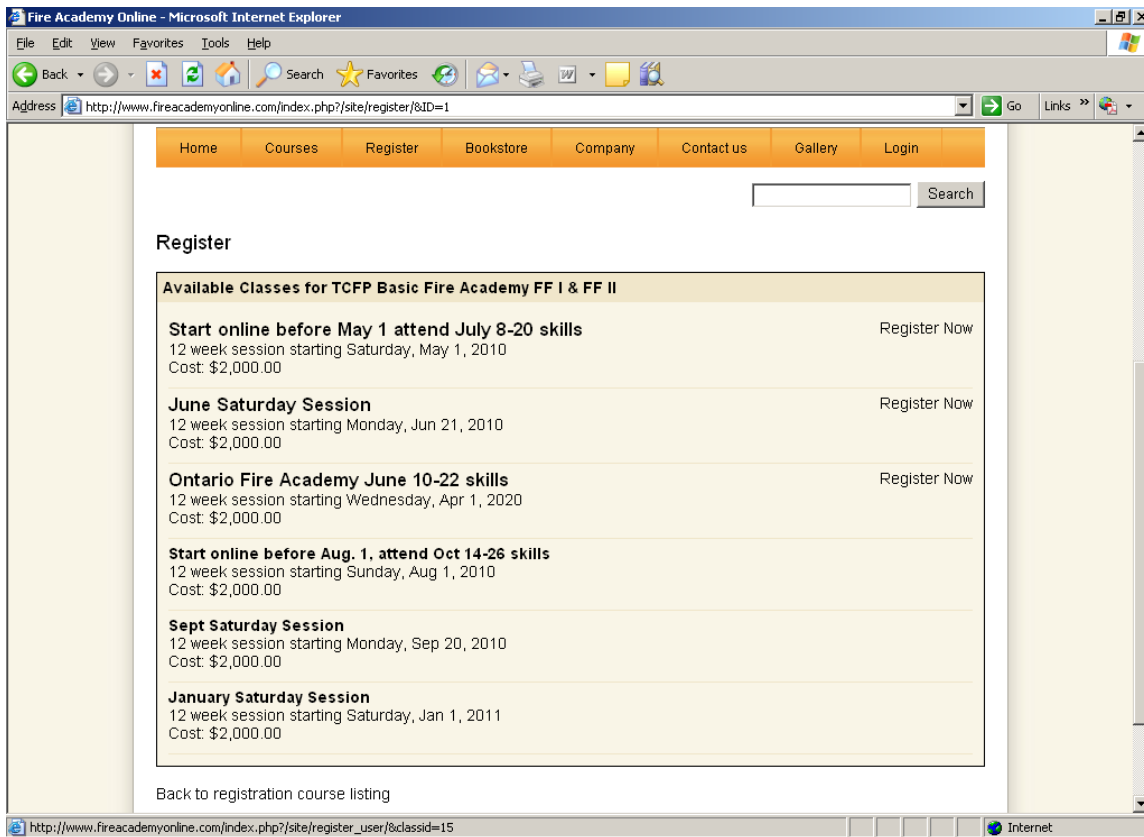
Class Information

Course: TCFP Basic Fire Academy FF I & FF II
Class: Ontario Fire Academy June 10-22 skills
Class Dates: Attendance is mandatory for all class dates. Please contact us before you register if you are unable to attend any scheduled class.

Session 1 -- Thursday, Jun 10, 2010
Session 2 -- Friday, Jun 11, 2010
Session 3 -- Saturday, Jun 12, 2010
Session 4 -- Sunday, Jun 13, 2010
Session 5 -- Monday, Jun 14, 2010
Session 6 -- Tuesday, Jun 15, 2010
Session 7 -- Wednesday, Jun 16, 2010
Session 8 -- Thursday, Jun 17, 2010
Session 9 -- Friday, Jun 18, 2010
Session 10 -- Saturday, Jun 19, 2010
Session 11 -- Sunday, Jun 20, 2010
Session 12 -- Monday, Jun 21, 2010
Session 13 -- Tuesday, Jun 22, 2010

Price: \$2,000.00

The browser's status bar at the bottom indicates "Internet" and the date "April 27, 2010".



BACKGROUND

Previous warnings issued

The program in question had been pre-screened by the Ministry on March 13, 2009 and the school was informed in writing at that time that:

"Until such time as your institution has been registered and your program has been approved, it is a violation under sections 7, 8 and 11 of the Private Career Colleges Act, 2005 to deliver or advertise the delivery of your vocational program."

On February 25, 2010, while considering an application for registration from the school, the Superintendent noticed that the vocational program he was being asked to approve was already being advertised and offered to students on the school's website. When this contravention of the Act was brought to the school's attention, the offending advertising was removed from the website and Larry Matlashewski (Director) wrote to the Superintendent's designate and apologized, stating in part:

"...I must apologize for not checking my son's work.... It is my mistake that in not checking that he understood my instructions, as well as not checking that the task was completed. ...I beg your forgiveness."

Larry Matlashewski also assured the Superintendent's designate that he understood that he could not offer the vocational program in question until it has obtained approval, and promised not to do so. The Superintendent accepted the apology and responded favourably to the request for forgiveness, and elected at that time not to take enforcement action against the school. It is clear that notwithstanding the

Superintendent's forbearance, the school continued to illegally offer the vocational program behind the Ministry's back before it had obtained registration as a private career college or had the vocational program approved.

Legal and Operating Entities

An ONBIS search found that on April 30, 2008 Ontario Fire Academy Inc. was incorporated in Ontario, with Larry Matlashewski as Director.