

RESTRAINING ORDER

Served by e-mail to graphics@micromediadesigns.com and courier

May 6, 2010

Christopher Paul Laycock
o/a Pawfection Grooming Academy
30 Ross Street
Barrie ON L4N 1E9

Attention: Christopher Paul Laycock

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 Christopher Paul Laycock 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:

- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively;
- 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 unapproved vocational program contrary to section 9 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 provided the ministry with a list including the names and addresses of all current students;
- have provided refunds to students who request refunds in writing and who 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 <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 11 of the PCCA, 2005 – Advertising Unregistered Private Career College and Unapproved Programs

On May 5, 2010, the website belonging to Pawfection Grooming Academy, <http://www.pawfection.net/>, was reviewed by Ministry staff who found it advertising a dog grooming program that is described as a "...series of courses that vary in length but when taken together comprises an[sic] twelve-week series that includes both didactic or in-class instruction and practical labs for hands on training." The site also claimed that "At the end of the twelve-week series, you will have the necessary training to work in a reputable dog-grooming salon." The site described the courses as running Monday to Friday 8:00am to 4:00pm, but did not list the total fees.

On May 5, 2010, Ministry staff phoned Pawfection Grooming Academy using the telephone number listed on the site, 705-734-3647 and spoke with Lindsay Robinson. Lindsay described the course as being twelve weeks in duration, but stated that it actually runs Monday-Thursday 8am-2pm or 3pm, and advised that it costs \$6,825 for tuition plus \$1,000 for tools. The course as described by Lindsay, is at least 288 hours in duration, and costs \$7,825.

Ministry staff found additional advertisements on the websites <http://www.canpages.ca/page/ON/barrie/pawfection-grooming-boutique/4118106.html>, and <http://www.yellowpages.ca/bus/Ontario/Barrie/Pawfection-Grooming/3397230.html>. Both sites provide the phone number, website and address of the school, and advise that a grooming school and academy is operating.

Based on the information provided about the cost and length of the grooming program, it fits 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 and is thus a vocational program within the meaning of the *Private Career Colleges Act, 2005* and is required to be approved by the Superintendent pursuant to section 23 of the Act.

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 May 5, 2010, Ministry staff phoned Pawfection Grooming Academy using the telephone number listed on the site, 705-734-3647 and spoke with Lindsay Robinson. Lindsay described the course as being twelve weeks in duration, but stated that it actually runs Monday-Thursday 8am-2pm or 3pm, and advised that it costs \$6,825 for tuition plus \$1,000 for tools. The course as described by Lindsay, is at least 288 hours in duration, and costs \$7,825. She also advised that the hours can be flexible if necessary, and that a student started two days ago who wanted to take some classes on the weekends and the school is trying to accommodate the request.

Lindsay proceeded to state that the August to October course was fully booked, except for one student who had yet to pay their deposit. Ministry staff asked whether graduates of the course would be ready to start working in the field. Lindsay confirmed that they will be prepared to handle all breeds and clips, but are always

welcome to return to the school if they need a refresher. When speaking about the availability of classes, Lindsay stated that it might be possible to enrol in the session which began two days earlier.

As Pawfection Grooming Academy is currently delivering an unapproved grooming course which requires approval, it is contravening sections 7 and 8(1) of the *Private Career Colleges Act, 2005*.

Contravention of section 9 of the PCCA, 2005 – Charging Fees for Unregistered Private Career College and Unapproved Programs

On May 5, 2010, Ministry staff phoned Pawfection Grooming Academy using the telephone number listed on the site, 705-734-3647 and spoke with Lindsay Robinson. Lindsay described the course as being twelve weeks in duration, but stated that it actually runs Monday-Thursday 8am-2pm or 3pm, and advised that it costs \$6,825 for tuition plus \$1,000 for tools. The course as described by Lindsay, is at least 288 hours in duration, and costs \$7,825. She also advised that the hours can be flexible if necessary, and that a student started two days ago who wanted to take some classes on the weekends and the school is trying to accommodate the request.

Lindsay proceeded to state that the August to October course was fully booked, except for one student who had yet to pay their deposit. Ministry staff asked what kind of deposit it required. Lindsay advised that a deposit of \$1,000 is required to hold a spot in an upcoming class, and that an additional payment of \$1,000 for the tools is required prior to the first class. Ministry staff asked whether that meant the other two students who signed up for the August class had already paid their deposit, and Lindsay confirmed that they had.

Therefore, Pawfection Grooming Academy has charged fees for the unapproved grooming program to at least three students.

Legal and Operating Entities

On May 5, 2010, Ministry staff conducted an ONBIS search and found that Pawfection Grooming Academy was registered on April 1, 2009 with Christopher Paul Laycock as the sole proprietor.