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By Registered and by Regular Mail

June 14, 2007

Dr. Jooyon David Cho, President
2011523 Client 2000 Inc
o/a Queen's College
918 Dundas St. East, Suite 500
Mississauga, Ont L4Y 2B8

Dear Mr. David Cho:

**Re: Contravention of the *Private Career Colleges Act, 2005* due to
Operating an Unregistered private career college, offering non-
approved vocational programs and misleading advertising &
- Cease and Desist Order**

Pursuant to subsection 46(1) of the *Private Career Colleges Act, 2005* (the "PCCA, 2005"), I am directing you as the President of 2011523 Client 2000 Inc o/a Queen's College ("Queen's College") to cease and desist:

- operating as an unregistered private career college
- offering non-approved vocational programs;
- using misleading advertising

Facts in support of Cease and Desist order.

- **Contravention of s. 7 of the PCCA, 2005 - Operating as an unregistered private career college.**

Persons offering vocational programs in Ontario must pursuant to section 7 of the PCCA, 2005 be registered as a private career college. Queen's College is

offering the following vocational programs: TESOL and TESL, paralegal, legal administration assistance, business administration and hospitality certificate or Diploma Programs.

Queen's College is **not** registered as a private career college in Ontario

On June 04, 2004, the Ministry received "an initial application for registration" from Queen's College.

On September 26, 2006, the Ministry sent a letter to Queen's College located at 918 Dundas St. E. Suite 500 in Mississauga to inform the applicant that the application submitted so far contained deficiencies and was incomplete, therefore It had to be returned as incomplete. The Ministry requested a resubmission of the application by October 31, 2006. The applicant was informed about the new Private Career Colleges Act, 2005 that was proclaimed on September 18, 2006. **A new application will have to be completed in order to comply with the new Act.**

Despite your discussions with our representative on March 22, 2007 and your assurance that you would submit an application for a registration of a private career college, you have not submitted such an application.

Accordingly, I direct you, pursuant to subsection 46 (1) of the PCCA, 2005 to immediately **cease and desist** operating as a private career college until you have registered Queen's College under the PCCA, 2005.

- o **Contravention of s. 8 of the PCCA, 2005 - Delivering Non-Approved Vocational Program**

Section 8 of the PCCA, 2005 prohibits a person from offering vocational programs that have not been approved by the Superintendent of Private Career Colleges (the "Superintendent"). Until a vocational program is approved by the Superintendent no person can offer, collect a fee in respect of the program or advertise the program.

On March 22, 2007, Ministry staff visited Queen's College and met with the President. False advertising was found in the Queen's College brochure available at the reception counter. There we some lists of courses offered posted on the Bulletin Board at the facilities. The following programs advertised in Queen's College's brochure must be registered with the Ministry:

TESL and TESOL Certificate
Paralegal
Legal Administration Assistance
Administration Assistance

Hotel Management
Travel and Tourism
TFSL Certificate program

Ministry staff spoke to Jooyon David Cho, President of Queen's College and explained the current requirements under the Private Career Colleges Act, 2005 to register as a private career college. Mr. Jooyon David Cho informed staff that he is working on the application. Ministry staff stated that under PCCA, 2005 vocational programs cannot be offered without registration. Contents of the brochure and website advertising were discussed. To date Queen's College has not submitted to the Ministry a complete application for school's registration or applications for approval of vocational programs.

Accordingly, I direct you, pursuant to subsection 46 (1) of the *Private Career Colleges Act, 2005*, to **cease and desist** in offering all the above vocational programs until such time as your application has been received and the program approved under the *PCCA, 2005*.

- o **Contravention of s. 33 of the PCCA, 2005 and s. 18 of O. Reg 415/06 as made pursuant to the Act - Use of Misleading Advertising**

Queen's College brochure contains the following misleading statement: "we are in communiqué with the Ontario Ministry of Training to launch our Career College Programs" This statement is not true because you have not submitted an application for a registration of a private career college. This statement must be immediately removed from your brochure.

Accordingly, I direct you pursuant to subsection 46 (1) of the PCCA, 2005 to **cease and desist** in the use of false and misleading statements in your promotional material. The use of this type of advertising may induce a student or prospective student to enrol in a program or to enter into a contract with a private career college, is contrary to the Act.

As a result of my decision,

1. Jooyon David Cho, President, and Queen's College will immediately cease operating an unregistered private career college.
2. Jooyon David Cho, President and Queen's College will immediately cease offering a non-approved vocational programs.
3. Jooyon David Cho, President and Queen's College school will immediately cease the distribution of any brochures or advertisements, in whatever form, that use statements that mislead, or are likely to mislead, the public for the purpose of inducing a student or prospective student to

enrol in a post-secondary program or to enter into a contract with a private career college.

4. Jooyon David Cho, President, Queen's College will deliver to me by registered mail or courier and by no later than **Wednesday, July 18, 2007** a written confirmation:
 - a) That Jooyon David Cho, President and the Queen's College have ceased operating an unregistered private career college;
 - b) That Jooyon David Cho, President and Queen's College have ceased offering and delivering the non-approved vocational programs: TESL, TESOL, TFSL, Paralegal, Legal Administration Assistance, Administration Assistance, Hotel Management, Travel and Tourism programs
 - c) That Jooyon David Cho, President and Queen's College have ceased the distribution or advertising of any form of advertisement:
 - a. wherein Queen's College is held out to be a private career college;
 - b. wherein Queen's College offers non-approved vocational programs,
 - c. wherein Queen's College advertises that they are "in communiqué with the" Ontario Ministry of Training"
 - d) that Jooyon David Cho, President and Queen's College, have ceased the use of statements that mislead or are likely to mislead the public for the purpose of inducing a student or prospective student to enrol in a program or to enter into a contract with Queen's College

Legal Framework for the Order

See Schedule "A" (attached)

I feel it is important to stress the importance of compliance with the PCCA, 2005.

If you continue to breach the Act and fail to comply with this cease and desist order, you may be prosecuted under section 48 of the Act and liable to a maximum fine of \$25,000 or to imprisonment for a maximum term of one year or to both.

I look forward to your confirmation that you are in compliance and to the receipt of your completed application, should you wish to continue operating a private career college.

Should you have any further questions, please contact us at 416-314-0501.

Sincerely,

ORIGINAL SIGNED BY

Susan Hoyle-Howieson
Superintendent of Private Career Colleges

Schedule “A”

Legal Framework

Prohibition against operating a private career college

Subsections 7(1) and (2) of the Act provide that:

No person shall operate a private career college unless the person is registered.

Holding oneself out

No person shall hold themselves out as the operator of a private career college unless the person is registered.

Prohibition against providing vocational programs

Subsection 8(1) of the Act provides that:

No person shall offer or provide a vocational program for a fee unless the person is registered and the provision of the vocational program has been approved by the Superintendent.

Content of Advertising

Subsection 33 of the Act provides that:

A private career college shall not advertise the college or any vocational programs offered or provided by the college or permit such an advertisement unless the advertisement complies with such standards as may be prescribed.

Subparagraph 16 (1) 2. i. of the Regulation provides that;

Every private career college shall ensure that an advertisement of the college or of a vocational program offered at the college meets the following requirements:

The advertisement shall not contain a statement that misleads or is likely to mislead the public.

Subsection 18(1) of the Regulation provides that;

No person, operator, officer, director, employee or agent acting on behalf of a private career college shall make a false or misleading statement, written or oral, or any statement described in paragraph 2 of subsection 16

(1) for the purpose of inducing a student or prospective student to enrol in a program or to enter into a contract with a private career college.

Relevant criteria for determining the issuance of a Superintendent's Order

Subsection 46(1) of the Act provides that:

If the Superintendent believes that a person has contravened this Act or the regulations, the Superintendent may order the person to restrain from contravening this Act or the regulations.

Offence Provisions

Subsection 48(1) (b) of the Act provides that:

Every person is guilty of an offence if the person fails to comply with any order, direction or requirement of the Act.

Subsection 48(1) (c) of the Act provides that:

Every person is guilty of an offence if the person contravenes any provision of this Act or the regulations.

Subsection 48(2) (a) of the Act provides that:

A person who is guilty of an offence under subsection (1) is liable under conviction, in the case of an individual, to a fine of not more than \$25,000 or to imprisonment for a term of not more than one year, or to both.