

Ministry of Training,
Colleges and Universities
Office of the Superintendent
Private Career Colleges Branch
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Ministère de la Formation
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Bureau du Suprintendent
Direction des colleges
privés d'enseignement professionnel
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Toronto ON M7A 1N3



Particulars of Notice of Contravention and Review Decision

S. 49 (1) Private Career Colleges Act, 2005 (“Act”)

November 28, 2014

These particulars are posted following the issuance of an administrative penalty for which a review was requested. Penalties may be reviewed upon request within 15 days of receipt of a Notice of Contravention. The review decision is made considering not only the information originally available at the time the Notice of Contravention was issued, but also any new information not previously available that may have been supplied in support of the request for a review. On review, an administrative penalty may be upheld, rescinded or reduced. A review decision is final.

Original service date: December 17, 2012

Sasa Ristic operating as Signal Truck & Forklift Driving School
1380 Fuller Crescent
Windsor, ON N8W 5S2

Description:	Original Amount:	Review Decision:
PCCA, 2005, s. 11 Restrictions on advertising and soliciting	\$2,000 per day (doubled for second contravention)	Penalty of \$2,000 per day is upheld. The penalty accumulated from December 17, 2012 to January 2, 2013 (inclusive). The balance of the evidence indicates that Sasa Ristic, operating as Signal Truck & Forklift Driving School, was advertising an unregistered private career college and an unapproved AZ Truck Driving program. Sasa Ristic was registered as a private career college prior to the expiry of its registration on August 28, 2010. Sasa Ristic has also been subject to previous enforcement action by the Superintendent for failure to comply with section 11 of the Act: a Restraining Order issued on May 30, 2011, and a Notice of Contravention issued on May 30, 2011. As such, evidence indicates that Sasa Ristic was aware of the requirements

Description:	Original Amount:	Review Decision:
		<p>to register and obtain program approval prior to advertising unapproved vocational programs.</p> <p>Original penalty: \$34,000 Penalty following review: \$34,000</p>
<p>PCCA, 2005, s. 7 (1)</p> <p>Prohibition against operating a private career college.</p>	<p>\$2,000 per day (doubled for second contravention)</p>	<p>Penalty of \$2,000 per day is upheld. The penalty accumulated from December 17, 2012 to January 2, 2013 (inclusive).</p> <p>The balance of the evidence indicates that Sasa Ristic, operating as Signal Truck & Forklift Driving School, was operating an unregistered private career college.</p> <p>As Sasa Ristic was previously registered as a private career college and subject to prior enforcement action, including penalties for contravening subsection 7 (1) of the Act, evidence indicates that the School was aware of the requirements to register with the Superintendent prior to operating a private career college.</p> <p>Original penalty: \$34,000 Penalty following review: \$34,000</p>
<p>PCCA, 2005, s. 8 (1)</p> <p>Prohibition against offering or providing unapproved vocational programs.</p>	<p>\$3,000 per day (tripled for third contravention)</p>	<p>Penalty of \$3,000 per day is upheld. The penalty accumulated from December 17, 2012 to January 2, 2013 (inclusive).</p> <p>The balance of the evidence indicates that Sasa Ristic, operating as Signal Truck & Forklift Driving School, was offering an unapproved AZ Truck Driving program.</p> <p>As set out under subsection 9 (2) of Ontario Regulation 415/06, AZ truck training is not exempt from program approval because <u>Policy Directive #5 – Tractor-Trailer (AZ) Driver Program Approval Requirements</u>, issued by the Superintendent on August 13, 2010, requires all AZ truck driver programs provided by private career colleges to be 200 hours in duration or more.</p> <p>As Sasa Ristic was previously registered as a private career college and subject to prior enforcement action, including penalties for contravening subsection 8 (1) of the Act, evidence indicates that the School was aware of the requirements to register and obtain program approval prior to offering unapproved vocational programs.</p> <p>Original penalty: \$51,000</p>

Description:	Original Amount:	Review Decision:
		Penalty following review: \$51,000
<p>PCCA, 2005, s. 46</p> <p>Failure to comply with an order of the Superintendent</p>	<p>\$2,000 (one time penalty)</p> <p>(doubled for second contravention)</p>	<p>One time penalty of \$2,000 per day is upheld.</p> <p>Evidence indicates that Sasa Ristic, operating as Signal Truck & Forklift Driving School, failed to comply with the Restraining Order issued by the Superintendent on May 30, 2011, after providing written confirmation of compliance on June 28, 2011 in response to the Order. By advertising an unapproved vocational program and an unregistered private career college, the School failed to comply with the requirements of the May 30th, 2011 Restraining Order.</p> <p>Evidence also indicates that Sasa Ristic, operating as Signal Truck & Forklift Driving School, failed to comply with the Restraining Order issued by the Superintendent on October 18, 2011. The Restraining Order required Sasa Ristic to stop contravening sections 7, 8 (1) and 9 (1) of the Act. Given the findings above that Sasa Ristic, operating as Signal Truck & Forklift Driving School, has contravened sections 7 (1) and 8 (1) of the Act, the School failed to comply with the requirements of the October 18, 2011 Restraining Order.</p> <p>Original penalty: \$2,000 Penalty following review: \$2,000</p>
Total:		<p>Total penalties following review: \$121,000</p> <p>The penalty will resume accumulating daily from date of decision (November 26, 2014) until the Ministry receives written confirmation of compliance with the Act and its regulations.</p>