

Particulars of Notice of Contravention and Review Decision

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

October 3, 2013

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 On review, an administrative penalty may be upheld, rescinded or reduced.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: October 18, 2011

Sasha Ristic

Operating as Signal Truck & Forklift Driving School

1380 Fuller Crescent

Windsor, Ontario

N8W 5S2

Description:	Original Amount:	Review Decision:
Act, s. 8 (1) - Prohibition against providing vocational programs	\$2,000 per day	Penalty of \$2,000 per day is upheld from October 18, 2011 to October 27, 2011 (inclusive).
On September 7, 2011, a Designate of the Superintendent ("Designate") received an e-mail which contained copies of signed receipts issued by Sasha Ristic of Signal Truck & Forklift		The balance of evidence available indicates that Signal Driving School was providing an unapproved Truck Driver (AZ) program. This program is

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<p>Training ("School"). Both receipts were issued on August 26, 2011 for A class driver training which combined, totaled \$1,298.</p> <p>On September 13, 2011, the Designate spoke with the student who received these receipts who confirmed their authenticity. The student stated that Mr. Ristic told him that: he could get an A class licence in 2-3 weeks and would receive unlimited training for \$3,000; that he received training from Mr. Ristic between August 8 and August 25; and that classes were generally delivered between Monday-Friday for 1 hour per day.</p> <p>On September 15, 2011 the Designate phoned Mr. Ristic and spoke with him about the tractor trailer training he was providing. Mr. Ristic acknowledged that he had trained students during the month of August, but refused to provide the Designate with contact information for those students.</p> <p>As the School's A class licence training cost over \$1,000 and was required by the Superintendent's policy directive to be at least 200 hours in duration, it was being offered and provided in contravention of section 8 (1) of the Act.</p>		<p>intended to train students to enter an occupation included in National Occupational Code 7411- Truck Drivers.</p> <p>Evidence supports that Signal Driving School was aware of the legislative requirements to register and obtain program approval prior to advertising or offering a vocational program.</p> <p>As Signal Driving School was a registered private career college from October 2008 to August 2010, evidence indicates that the School was aware of the requirement to register and obtain program approval prior to advertising and/or providing a vocational program. Evidence indicates that, after voluntarily ceasing its registration as a private career college, the School intended to continue its operations without having to comply with the Act.</p> <p>Original penalty: \$20,000 Penalty following review: \$20,000</p>

Description:	Original Amount:	Review Decision:
<p>Act, s. 9 – Prohibition against charging fee</p> <p>On September 7, 2011 a Designate received signed receipts totaling \$1,298 for A class licence training dated August 26, 2011 issued by the School to a former student, who confirmed that he was issued those receipts by Mr. Ristic. Mr. Ristic has acknowledged that he provided A class licence training to this student.</p> <p>By charging fees for an unapproved A class licence training program, Mr. Ristic was contravening section 9 of the Act.</p>	<p>\$2,000 per day</p>	<p>Penalty of \$2,000 per day is upheld from October 18, 2011 to October 27, 2011 (inclusive).</p> <p>The balance of evidence available indicates that Sasha Ristic o/a Signal Driving School was operating as an unregistered private career college, including advertising and providing an unapproved vocational program and enrolling students in the unapproved program for a fee.</p> <p>Original penalty: \$20,000 Penalty following review: \$20,000</p>
<p>Act, s. 7 – Prohibition against operating a private career college</p> <p>On September 7, 2011 a Designate received signed receipts totaling \$1,298 for A class licence training dated August 26, 2011 issued by the School to a former student, who confirmed that he was issued those receipts by Mr. Ristic. Mr. Ristic has acknowledged that he provided A class licence training to this student and others during the month of August.</p> <p>The School also had a listing on yellowpages.ca which provided an address and phone number for the School.</p> <p>By publicizing the School, enrolling students into a vocational program,</p>	<p>\$2,000 per day</p>	<p>Penalty of \$2,000 per day is upheld from October 18, 2011 to October 27, 2011 (inclusive).</p> <p>The balance of evidence available indicates that Sasha Ristic o/a Signal Driving School was charging a fee to students for the provision of an unapproved vocational program.</p> <p>Original penalty: \$20,000 Penalty following review: \$20,000</p>

Description:	Original Amount:	Review Decision:
<p>providing a vocational program, charging fees for a vocational program, and issuing receipts, Mr. Ristic was operating an unregistered private career college in contravention of section 7 of the Act.</p>		
<p>Failure to comply with an order of the Superintendent made under s. 46 of the Act</p> <p>On May 30, 2011 a Restraining Order was issued against Sasha Ristic known as Signal Driving School by the Superintendent of Private Career Colleges. The order required Mr. Ristic to stop offering and providing unapproved vocational programs in contravention of section 8 of the Act, and to stop operating a private career college in contravention of section 7 of the Act.</p> <p>However, evidence was obtained that shows Mr. Ristic has operated an unregistered private career college, and provided unapproved vocational programs after May 30, 2011.</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld from October 18, 2011 to October 27, 2011 (inclusive).</p> <p>The balance of evidence available indicates that Sasha Ristic o/a Signal Driving School failed to comply with a Restraining Order issued by the Superintendent on May 30, 2011, which required the School to stop offering an unapproved vocational program.</p> <p>Evidence supports that the School continued to provide this unapproved program after receiving the May 30th Restraining Order.</p> <p>Original penalty: \$10,000 Penalty following review: \$10,000</p>
<p>Act, s. 38 (6) – Inquiries and examinations, Duty to Assist</p> <p>Between September 15 and September 16, 2011 a Designate contacted Sasha Ristic to request contact information for students who had received training from the School during the month of August.</p>	<p>\$1,000 (one-time)</p>	<p>One-time penalty of \$1,000 is upheld.</p> <p>The balance of evidence available indicates that Sasha Ristic o/a Signal Driving School failed to assist a Designate of the Superintendent who was requesting information using his authorities under subsection 38 (6) of</p>

Description:	Original Amount:	Review Decision:
<p>The Designate advised Mr. Ristic twice that the Designate was making inquiries using the powers provided by section 38 of the Act, which required Mr. Ristic to provide accurate and fulsome responses to the Designate's questions, and to provide the Designate with any information which was requested.</p> <p>Although Mr. Ristic acknowledged that he understood the requirements of section 38 of the Act he refused to provide the Designate with the requested information.</p> <p>Therefore, Mr. Ristic failed to assist a Designate in the manner which was specified by that Designate in contravention of section 38 (6) of the Act.</p>		<p>the Act. Evidence also indicates that the School was aware of the requirements under section 38 of the Act.</p> <p>Original penalty: \$1,000 Penalty following review: \$1,000</p>
<p>Total Original Penalties: \$61,000</p>		<p>Total Penalties Following Review: \$61,000</p>