

**Particulars of Notice of Contravention and Review Decision**

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

Thursday October 14, 2010

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 On review, an administrative penalty may be upheld, rescinded or reduced.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: May 4, 2010

Ivor Trans Inc.  
o/a Truck Training Academy of Stoney Creek  
298 Grays Road  
Stoney Creek, Ontario, L8E 1V5

<b>Description:</b>	<b>Original Amount:</b>	<b>Review Decision:</b>
<p>PCCA 2005, s. 8 (1) Prohibition against providing vocational programs.</p> <p>During an April 1, 2010 field visit of Truck Training Academy of Stoney Creek, Designates of the Superintendent found a July 17, 2009 student letter of acceptance to a 100 hour DZ Tractor Trailer Driver Training program for \$4,400, as well as a contract between a funding agency and the student confirming funding for his participation in the program. On April 23, 2010, Tanya Smajlagic, Operations Manager of Truck Training Academy, confirmed via e-mail that this student was admitted into a DZ program.</p> <p>The DZ program corresponds to National Occupational Classification (NOC) code 7411 – Other Truck Drivers, and is a vocational program within the meaning of the Private Career Colleges Act, 2005 and is therefore required to be approved by the Superintendent of Private Career Colleges pursuant to section 23 of the Act.</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 is upheld.</p> <p>The balance of evidence available indicates that Ivor Trans Inc. was providing an unapproved vocational program.</p>
<p>PCCA 2005, s. 9 Prohibition against charging fee.</p> <p>During the same April 1, 2010 field visit a Designate reviewed a student file for the student mentioned above. The file included a payment stub from a</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 is upheld.</p> <p>The balance of evidence available indicates that Ivor Trans Inc. was charging fees for</p>

<p>funding agency dated August 12, 2009 for \$4,400. It also contained an invoice dated August 6, 2009 confirming payment of \$4,400 for the DZ program. The payment stub and invoice confirm that the Registrant was charging fees for an unapproved program.</p>		<p>an unapproved vocational program.</p>
<p>PCCA, 2005 s. 23(6) - Changes to vocational program</p>	<p>One time penalty of \$750</p>	<p>Penalty of \$750 is rescinded.</p>
<p>PCCA, 2005 s. 33 - Advertising, read with O. Reg 415/06 s. 16(1) paragraphs 1 to 6 – content of advertising</p> <p>On April 4, 2010, the website belonging to Truck Training Academy was reviewed by a Designate who found a listing of non-vocational programs. However, the website’s description of these programs was not followed by the wording prescribed by section 33 of the Private Career Colleges Act, 2005 read with O.Reg 415/06.</p>	<p>One time penalty of \$750</p>	<p>Penalty of \$750 is upheld.</p> <p>The balance of evidence available indicates that Ivor Trans Inc. was not in compliance with the advertising requirements under the PCCA, 2005.</p>
<p>O. Reg 415/06 s. 17 - Advertising records</p> <p>On April 4, 2010, the website belonging to Truck Training Academy was reviewed by a Designate who found it bearing text which was not in French or English. The Designate phoned Truck Training Academy and requested a translation. Tanya of Truck Training Academy advised that they did not have a copy of the translation on hand. As Truck Training Academy published an advertisement in a language other than French or English without having a professional translation available, they contravened section 17 of O.Reg 415/06.</p>	<p>One time penalty of \$250</p>	<p>Penalty of \$250 is upheld.</p> <p>The balance of evidence available indicates that Ivor Trans Inc. did not have proper advertising records as required under the PCCA, 2005.</p>
<p><b>Total:</b></p>		<p><b>\$3,000</b></p>