

Ministry of Training,
Colleges and Universities

Office of the Superintendent

Private Career Colleges Branch
9th Floor, Mowat Block
900 Bay Street
Toronto ON M7A 1L2

Ministère de la Formation
et des Collèges et Universités

Bureau du Surintendant

Direction des collèges
privés d'enseignement professionnel
9^e étage, édifice Mowat
900, rue Bay
Toronto ON M7A 1L2



COMPLIANCE ORDER

By email: torontodrivingschool@gmail.com, fax (416) 674-7908 and courier

September 28, 2010

924468 Ontario Inc. operating as Toronto Truck Driving School and/or Heavy
Equipment Operator Training
225 Claireport Crescent
Toronto, ON M9W 6P7

and

2152 Codlin Cresent
Toronto, ON M9M 5K
Date

Dear Jaswinder Singh Wraich and Rajinder S Wraich:

This is a Compliance Order issued under s. 46(2) of the *Private Career Colleges Act, 2005* ("Act"). As the Superintendent of Private Career Colleges, I believe that 924468 Ontario Inc. operating as Toronto Truck Driving School and/or Heavy Equipment Operator Training ("Registrant"), a registered private career college, has contravened or failed to comply with a provision of the Act or regulations. I order that the Registrant stop:

- Advertising unapproved vocational programs that require approval, contrary to section 11 of the Act;
- Offering vocational programs that re not approved by the Superintendent of Private Career Colleges, contrary to section 8(1) of the Act;
- The opening of a new campus without notifying the Superintendent of the proposed change, contrary to section 34(2) of the Act; and
- Will not deliver vocational programs at an unapproved location.

Detailed reasons in support of my decision to issue this order are found in Schedule "A", attached. Failure to comply with this order may result in any or all of the following, further enforcement actions:

- Application for an order from the Superior Court of Justice;
- The issuance of further Administrative Monetary Penalties; and/or
- Prosecution for offences under the Act. Upon conviction by a court,
 - A corporation is subject to a fine of up to \$250,000;
 - An individual is subject to a fine of up to \$100,000, a prison term of up to one year, or both; and
 - 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.

You must provide written confirmation signed by a person with authority to bind the Registrant, together with all available supporting evidence, that the steps outlined below have been taken. This written confirmation must be delivered by **October 4, 2010** by registered mail or courier to my attention and confirm that you:

- Have stopped advertising unapproved vocational programs that require approval;
- Have stopped offering vocational programs that are not approved by the Superintendent of Private Career Colleges; and
- Will not open a new campus without notifying the Superintendent of the proposed change.

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 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. You are also reminded that pursuant to s. 39 of O.Reg. 415/06, you are required to keep an up-to-date copy of the Act and all regulations at each campus.

Pursuant to sections 49(2) and 49(6) of the Act, this order is published on the Ministry of Training, Colleges and Universities' website.

Kindly govern yourself accordingly,

ORIGINAL SIGNED BY

Allan Scott
Superintendent of Private Career Colleges

Schedule "A"

Detailed Reasons and Findings

OPERATION "Brake Down"

Pursuant to subsection 23(1) of the *Private Career Colleges Act, 2005* ("Act"), private career colleges that offer commercial driver programs which lead to commercial driver licensing examinations, governed under the Ontario Regulation 341/94 Driver Licence Examinations of the *Highway Traffic Act*, must have the programs approved by the Superintendent of Private Career Colleges.

In response to a concern about unapproved commercial driver programs, and their potential impact on public safety, Operation "Brake Down" was launched. Its purpose was to identify illegal operators offering unapproved vocational programs that require approval under the Private Career Colleges Act, 2005 and to take the necessary enforcement action against them. This institution was identified as part of this operation.

The Superintendent has issued this order based on the following findings and supporting facts and evidence:

Contravention of section 11 of the Act – Restrictions on Advertising and Soliciting

Toronto Truck Driving School is a registered private career college (PCC) located at 204-747 Don Mills Road Flemingdon Park Plaza-lower, Toronto, ON M3C1T2. The head office telephone number provided by the PCC is 416-675-7500 and the phone number for the campus itself is listed as 416-213-2222.

A designate of the Superintendent viewed a Canada 411 internet advertisement and a YellowPages.ca internet advertisement forwarded to the Ministry on a tip by an individual on May 6, 2010 who asserted that the Registrant was advertising under a different name, telephone number and address.

The YellowPages.ca advertisement presents a slightly different name than the name registered with the Ministry ("A Toronto Truck Driving School" versus "Toronto Truck Driving School") the same telephone number (416-675-7500) provided to the Superintendent for its head office, but with a different address (225 Claireport Crescent, Rexdale, ON M9W 6P4). The web advertisement lists the courses the school offers, including Forklift – Heavy Equipment. The screen shot appears below:

A Toronto Truck Driving School
416-675-7500
225 Claireport Cres, Toronto, ON M9W 6P7

TORONTO TRUCK
"Join The Professionals"
FORKLIFT - HEAVY
EQUIPMENT DRIVING
SCHOOL

HEAD OFFICE **416-675-7500**
www.torontotruckdrivingschool.com
225 Claireport Cres (Aldon & Steeles)
Rexdale, ON M9W 6P7
NORTH YORK (416) **213-2222**

Business Details

Category	Directory
Driving Instruction	Brampton, Mississauga
Driving Instruction in ON	
Driving Instruction in Toronto	
Lift Trucks	
Lift Trucks in ON	
Lift Trucks in Toronto	

Are you a business owner?
Discover effective solutions to advertise online with Yellow Pages advertising. [Learn more today](#)

<http://www.yellowpages.ca/.../4488000.html?what=toronto+truck+driving+school&where=Toronto%2C+ON&le=69198aca2a%7C69198acd23%7Cb366dfdc3>[09/15/2010 11:45:19 AM]

On September 14, 2010, a designate of the Superintendent telephoned the number (416-675-7500) listed on the YellowPages.ca advertisement and spoke to an individual who identified himself as Jesse. Jesse advised the designate that they offer an AZ program costing \$4,250 consisting of four weeks duration at five hours per day (totalling 100 hours), with two to three hours of those five hours being spent daily in the truck. Jesse informed the designate that classes take place at both the Claireport location and at 747 Don Mills, their other location. Jesse advised that the best time to come speak to him about the program was between 10:00 a.m. and 5:00 p.m. Jesse advised that AZ classes are currently taking place at the Claireport location.

Jesse also stated that they offer a DZ program costing \$3,200 at a duration of three to four weeks for three hours per day (3 weeks x 3 hours per day = 45 hours total) and that classes are going on right now at both locations for the DZ program.

The designate was also advised by Jesse that the school offers a BZ course costing \$3,000 at a duration of three to four weeks at three hours per day (3 weeks x 3 hours per day = 45 hours total).

The preceding information demonstrates that the Registrant is currently advertising three unapproved programs which are over 40 hours in duration and exceeding \$1,000 in cost.

Since the Registrant is not approved to offer AZ, DZ and BZ programs, advertising these programs is prohibited in accordance with section 11 (2) of the Act.

Contravention of section 8(1) of the Act – Prohibition against providing vocational programs

On September 14, 2010, a designate of the Superintendent telephoned the number (416-675-7500) listed on the YellowPages.ca advertisement and spoke to an individual who identified himself as Jesse. Jesse advised the designate that they offer an AZ program costing \$4,250 consisting of four weeks duration at five hours per day (totalling 100 hours), with two to three hours of those five hours being spent daily in the truck.

Jesse informed the designate that classes take place at both the Claireport location and 747 Don Mills, their other location and that AZ classes are currently taking place at the Clairport location.

Jesse also stated that they offer a DZ program costing \$3,200 at a duration of three to four weeks for three hours per day (3 weeks x 3 hours per day = 45 hours total) and that classes are going on right now at both locations for the DZ program.

The designate was also advised by Jesse that the school offers a BZ course costing \$3,000 at a duration of three to four weeks at three hours per day (3 weeks x 3 hours per day = 45 hours total).

The above evidence shows that the AZ, DZ and BZ programs are vocational (over 40 hours and exceeding a cost of \$1,000). The evidence also includes confirmation of present enrolment at the unregistered campus for the AZ and DZ vocational programs, therefore it is clear that the Registrant is providing unapproved vocational programs in contravention of section 8(1) of the *Private Career Colleges Act, 2005*.

The above evidence also reveals that the Registrant is delivering two unapproved vocational programs (AZ and DZ) at its registered campus. The PCC has the approval of the Superintendent to deliver only a Heavy Equipment Operator program and a Tractor Trailer Driver Training

program. Therefore, the Registrant is also in contravention of section 8(1) for delivering unapproved programs at its registered campus.

Contravention of section 34(2) – Notice of Proposed Change

924468 Ontario Inc. operating as Toronto Truck Driving School and/or Heavy Equipment Operator Training is a registered private career college (PCC) located at 204-747 Don Mills Road Flemington Park Plaza-lower, Toronto, ON M3C1T2. The head office telephone number provided by the PCC is 416-675-7500 and the phone number for the campus itself is listed as 416-213-2222.

A designate of the Superintendent viewed a Canada 411 internet advertisement and a YellowPages.ca internet advertisement forwarded to the Ministry on a tip by an individual on May 6, 2010 who asserted that the Registrant was advertising under a different name, telephone number and address.

The YellowPages.ca advertisement presents a slightly different name than the name registered with the Ministry (“A Toronto Truck Driving School” versus “Toronto Truck Driving School”) the same telephone number (416-675-7500) provided to the Superintendent for its head office, but with a different address (225 Claireport Crescent, Rexdale, ON M9W 6P4).

On September 14, 2010, a designate of the Superintendent telephoned the number (416-675-7500) listed on the YellowPages.ca advertisement and spoke to an individual who identified himself as Jesse. Jesse advised the designate that they offer an AZ program costing \$4,250 consisting of four weeks duration at five hours per day (totalling 100 hours), with two to three hours of those five hours being spent daily in the truck. Jesse informed the designate that AZ classes are currently taking place at the Claireport location.

Jesse also stated that they offer a DZ program costing \$3,200 at a duration of three to four weeks for three hours per day (3 weeks x 3 hours per day = 45 hours total) and that classes are going on right now at the Clairport location.

The designate was also advised by Jesse that the school offers a BZ course costing \$3,000 at a duration of three to four weeks at three hours per day (3 weeks x 3 hours per day = 45 hours total).

Under section 34(2) of the Act, a PCC shall, at least 10 days before the event, notify the Superintendent in writing of any proposed change in its address for service or in its legal or operating name, or any other prescribed change.

924468 Ontario Inc. operating as Toronto Truck Driving School and/or Heavy Equipment Operator Training is in contravention of this provision for failing to notify the Superintendent in advance of its plan to open a new campus to deliver truck driving courses, which is considered a prescribed change.

Background

i) Tip

The Ministry received a tip on May 6, 2010 that 924468 Ontario Inc. operating as Toronto Truck Driving School and/or Heavy Equipment Operator Training was advertising itself under a different name, phone number and address in internet advertisements for Canada 411 and Yellowpages.ca, copies of which were forwarded to the Ministry.

ii) Previous Contact/Registration Details

924468 Ontario Inc. operating as Toronto Truck Driving School and/or Heavy Equipment Operator Training is a registered private career college (PCC) located at 204-747 Don Mills Road Flemingdon Park Plaza-LOWER, Toronto, ON M3C1T2. It has the approval of the Superintendent to deliver two vocational programs:

- Heavy Equipment Operator: 200 hours duration with disclosed fees of \$14,650; and
- Tractor Trailer Driver Training: 126 hours duration with disclosed fees of \$4,200.

This PCC is clearly aware of the requirement that all campuses delivering vocational programs need to be registered and have their programs approved by the Superintendent as they have started applying for a campus at 225 Claireport Crescent, Toronto, ON M9W6P4 on the Ministry's Registration Information for Career Colleges system for a tractor trailer program for 126 hours costing \$4,200 and a heavy equipment operator program for 200 hours at a cost of \$9,600.

iii) Legal and Operating Names

An ONBIS search conducted on September 15, 2010 shows that 924468 Ontario Inc. is registered as an Ontario corporation which was incorporated on December 18, 1990. The corporation was revived on August 29, 1996. The registered office address is 2152 Codlin Crescent, Toronto, M9M 5K7. Jaswinder Singh Wraich is listed as a Director and an Officer. Rajinder S Wraich is listed as a Director and an Officer. The address listed for both individuals is 2152 Codlin Crescent, Toronto, ON M9M 5K7.

Two business names are registered for this corporation. The first, Toronto Truck Driving School, was registered on October 27, 2009 and expires on October 26, 2014. It carries on "driver training." The corporate address is 225 Claireport Crescent, Toronto, ON M9M 6P4.

The second business name, Heavy Equipment Operator Training, was registered on November 25, 2009 and expires on November 24, 2014. It carries on "driver training." The corporate address is 225 Claireport Crescent, Toronto, ON M9M 6P4.