

Ministry of Colleges and Universities

Ministère des Collèges et des Universités

Advanced Education Learner Supports Division

Division du soutien aux apprenants au niveau postsecondaire

Office of the Superintendent

Bureau du Surintendant

Private Career Colleges Branch
77 Wellesley Street West
Box 977
Toronto ON M7A 1N3

Direction des collèges
privés d'enseignement professionnel
77, rue Wellesley Ouest
Boîte 977
Toronto ON M7A 1N3

Particulars of Notice of Contravention and Review Decision

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

February 4, 2021

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 On review, an administrative penalty may be upheld, rescinded or reduced.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: September 25, 2018

Mr. Dwight E. Murray, Director
Toronto Fade Master Academy, Miami Fades Inc.
98 Scollard Street
Toronto, Ontario M5R 1G2

Description:	Original Amount:	Review Decision:
<p><i>Private Career Colleges Act, 2005, s. 8 (1) Prohibition against providing vocational programs</i></p> <p>On September 20, 2018, the Superintendent of Private Career Colleges determined that Miami Fades Inc., operating as Toronto Fade Master Academy, had offered the provision of a vocational program while not</p>	<p>\$1,000 per day</p> <p>Contravention continued for 7 days following issuance.</p> <p>Prior administrative monetary penalty issues within three years doubles the penalty.</p>	<p>The balance of evidence indicates that, despite progressive enforcement measures administered by the office of the Superintendent of Private Career Colleges, including the education letter of April 19, 2016, the caution letter of January 30, 2018, and</p>

Description:	Original Amount:	Review Decision:
<p>registered and not approved.</p> <p>Miami Fades Inc. offered the provision of a “Fade Master Program”, a program within the meaning of “vocational program” for the purposes of the Act. Despite a letter cautioning for the contraventions of the Act, Miami Fades Inc. continued to offer the provision of the program.</p>	<p>Total amount: 7 days x \$1,000/day x 2 (prior penalty) =</p> <p>\$14,000</p>	<p>the Notice of Contravention of April 20, 2018, Toronto Fade Master Academy continued:</p> <p>Contravening s. 8 (1) of the Act by providing an unapproved vocational program for a fee.</p> <p>While Toronto Fade Master Academy did contravene the Act, I found that the prescribed penalty was excessive in the circumstances and decided to reduce the amount of the penalty from \$28,000 to \$14,000.</p> <p>Note:</p> <p>Above penalty reduction reflects the total penalty accrued between the two penalties issued. Amount of penalty for contravention of s. 8 of the Act following the review:</p> <p>Original penalty: \$14,000 Reviewed penalty: \$7,000</p>
<p>Private Career Colleges Act, 2005, s. 11 Restrictions on advertising and soliciting</p> <p>On September 20, 2018, the Superintendent of Private Career Colleges determined that Miami Fades Inc., operating as Toronto Fade Master Academy, had advertised the provision of a vocational program while not registered and not approved and solicited students to enrol into said program.</p>	<p>\$1,000 per day</p> <p>Contravention continued for 7 days following issuance.</p> <p>Prior administrative monetary penalty issues within three years doubles the penalty.</p> <p>Total amount: 7 days x \$1,000/day x 2</p>	<p>The balance of evidence indicates that, despite progressive enforcement measures administered by the office of the Superintendent of Private Career Colleges, including the education letter of April 19, 2016, the caution letter of January 30, 2018, and the Notice of Contravention of April 20, 2018, Toronto Fade Master Academy</p>

Description:	Original Amount:	Review Decision:
<p>Miami Fades Inc. advertised the provision of a “Fade Master Program”, a program within the meaning of “vocational program” for the purposes of the Act. Despite a letter cautioning for the contraventions of the Act, Miami Fades Inc. continued to offer the provision of the program.</p>	<p>(prior penalty) = \$14,000</p>	<p>continued:</p> <p>Contravening s. 11 of the Act by advertising the provision of an unapproved vocational program on its website and soliciting enrolment in an unapproved vocational program.</p> <p>While Toronto Fade Master Academy did contravene the Act, I found that the prescribed penalty was excessive in the circumstances and decided to reduce the amount of the penalty from \$28,000 to \$14,000.</p> <p>Note:</p> <p>Above penalty reduction reflects the total penalty accrued between the two penalties issued. Amount of penalty for contravention of s. 11 of the Act following the review:</p> <p>Original penalty: \$14,000 Reviewed penalty: \$7,000</p>
Total:		\$14,000