

**DISCIPLINE COMMITTEE OF THE
ONTARIO COLLEGE OF TRADES**

BETWEEN:

ONTARIO COLLEGE OF TRADES

-and-

LINDSAY PRIDDLE

NOTICE OF HEARING

THE COMPLAINTS COMMITTEE OF THE ONTARIO COLLEGE OF TRADES, pursuant to section 44, subsection (5) of the *Ontario College of Trades and Apprenticeship Act, 2009* (the "*Act*"), S.O. 2009, chapter 22, has directed that the matter hereinafter described regarding the conduct or actions of Lindsay Priddle (Membership No. 13271632), a member of the College, be referred to the Discipline Committee of the Ontario College of Trades. The Discipline Committee, pursuant to section 46, subsection (1) of the *Act*, shall hear and determine matters referred to it by the Complaints Committee under section 44 of the *Act*.

IT IS ALLEGED that Lindsay Priddle has engaged in professional misconduct as defined in subsection 46(2) of the *Act* and/or Ontario Regulation 97/13 made under the *Act* in that she:

- a) employed or otherwise engaged an individual to perform work or engage in a practice that constitutes engaging in the practice of a compulsory trade who did not hold a certificate of qualification in that trade that was not suspended and who was not an apprentice in that trade working pursuant to a registered training agreement that was not suspended, contrary to Section 4 of the *Act*;
- b) knowingly provided false information or documents to the College or any other person with respect to a member's trade qualifications, which is defined as professional misconduct under Ontario Regulation 97/13, subsection 1(4);

- c) permitted, counselled or assisted a person who is not a member of the College to represent themselves as a member of the College, which is defined as professional misconduct under Ontario Regulation 97/13, subsection 1(6);
- d) signed or issued, in her capacity as a member of the College, a document that she knew or ought to have known contained a false, improper or misleading statement, which is defined as professional misconduct under Ontario Regulation 97/13, subsection 1(8);
- e) failed to maintain the standards of her trade, which is defined as professional misconduct under Ontario Regulation 97/13, subsection 1(10); and
- f) acted or failed to act, in respect to the practice of a trade, in a manner that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, which is defined as professional misconduct under Ontario Regulation 97/13, subsection 1(11).

PARTICULARS OF THE ALLEGATIONS ARE AS FOLLOWS:

I. OVERVIEW

1. Lindsay Priddle, Membership No. 132371632 (the “Member”), is a member of the Ontario College of Trades (the “College”).
2. At all material times, the Member held a Certificate of Qualification, Journeypersons class, in the trade of Hairstylist (332A).
3. From approximately 2010 to August 2016 (the “Relevant Time Period”) the Member owned and operated a hair salon, Fringe Beauty Spa (the “Salon”), located at 446 Lyndoch Street, Corunna, Ontario. During that time frame the Member operated the Salon with employees who were not authorized to engage in the practise of the trade of Hairstylist, in that the individuals did not hold either a Certificate of Qualification or Registered Training Agreement (hereinafter “Unlicensed”). In addition, the Member permitted these individuals to engage in the trade of Hairstylist without supervision.

II. THE SALE OF THE SALON AND THE ABSENCE OF CERTIFICATES OF QUALIFICATION OR REGISTERED TRAINING AGREEMENTS

4. On July 29 and August 1, 2016, pursuant to an executed letter of intent with an anticipated closing date of August 15, 2016, [NAME] (the “Complainant”) purchased the Salon from the Member. It was agreed that the Member was to supervise the training of Salon staff and to be present at the business for a transitional phase of ownership until August 30, 2016. Contrary to the expectations of the Complainant, at the time of the sale, none of the employees held a Certificate of Qualification or Registered Training Agreement.
5. On August 23, 2016, the Member advised the Complaint that she would be unable to attend at the Salon for a considerable portion of the transition phase of ownership, leaving the Salon to carry on business with no licensed Hairstylists.

III. THE INSPECTION BY INSPECTOR WOLSING AND THE COMPLAINT

6. On August 31, 2016, Ontario College of Trades Inspector Bob Wolsing attended at the Salon. Inspector Wolsing discovered Unlicensed employees engaging in the trade of a Hairstylist.
7. On September 7, 2016, the Complainant filed a complaint with the College alleging that the Member had knowingly allowed unauthorized individuals to actively perform hairstyling services without proper certification. It is also alleged that the Member repeatedly encouraged some of her Unlicensed employees to engage in the practice of the trade. In addition, when speaking with the Complainant in this matter the Member stated to the Complainant that “As long as I am licensed you do not have to worry about it”.
8. The Member also employed [NAME] who worked at the Salon for period of approximately 5 years. The Member had full knowledge that [NAME] was not licensed. In fact, in her statement to the College, the Member advised that [NAME] failed her licensing exam on two occasions, but the Member nonetheless permitted [NAME] to continue to work as a Hairstylist at the Salon, thus putting the public at risk.
9. Another Hairstylist, [NAME], advised that that while the Member wanted her employees licensed, “it wasn’t a priority”.

10. From speaking with certain employees hired following the Complainant's purchase of the Salon, the Complainant also discovered that during the Relevant Time Period:
 - a. the Member had regularly allowed unauthorized persons and apprentice Hairstylist(s) to operate without any supervision or qualifications required under the Act; and
 - b. the Member had misled certain employees with regard to the requirements to operate legally as a Hairstylist in Ontario and failed to take reasonable steps to ensure that the employees were licensed.

A PANEL OF THE DISCIPLINE COMMITTEE WILL HOLD A HEARING pursuant to sections 46 and 48 of the *Act* for the purpose of deciding whether the Member has engaged in professional misconduct. A copy of the *Rules of Procedure of the Discipline Committee & Fitness to Practise Committee* is enclosed.

AN APPEARANCE WILL TAKE PLACE BEFORE THE PANEL by teleconference on **Wednesday, July 26, 2017 at 9:00 a.m. (Eastern)** to set a date for the hearing of this matter on its merits (the "Hearing"). The teleconference call-in details will be provided to all parties at least two (2) weeks prior to the teleconference. The Hearing, once scheduled, will be held at Victory Verbatim, 222 Bay Street, Suite 900, Toronto, Ontario or such other venue as the College may advise, on a date to be determined after consultation between College Counsel and the Member or his legal counsel/representative, and fixed by the Hearings Coordinator.

THE MEMBER IS ENTITLED AND ENCOURAGED TO PARTICIPATE IN THE ABOVE-NOTED APPEARANCE BY TELECONFERENCE AND AT THE HEARING, AND IS ENTITLED TO BE REPRESENTED BY LEGAL COUNSEL OR A REPRESENTATIVE THROUGHOUT THIS PROCEEDING.

The Member or his legal counsel/representative may contact College Counsel to discuss the scheduling of the Hearing or a pre-hearing conference to determine whether a date for the Hearing can be agreed upon. College Counsel's contact information is provided below.

IF A DATE FOR THE HEARING IS NOT AGREED UPON AND THE MEMBER DOES NOT ATTEND THE APPEARANCE BY TELECONFERENCE ON Wednesday, July 26, 2017 at 9:00 a.m. (Eastern) TO SET A DATE FOR THE HEARING, THEN THE PANEL MAY PROCEED IN HIS ABSENCE TO SET A DATE FOR THE HEARING. NOTICE OF THE HEARING DATE WILL BE PROVIDED TO THE MEMBER IN WRITING AT HIS

LAST KNOWN ADDRESS AS SHOWN IN THE RECORDS OF THE COLLEGE.

IF THE MEMBER DOES NOT ATTEND THE HEARING ON THE DATE SCHEDULED, THE PANEL MAY PROCEED IN HIS ABSENCE AND HE WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THE PROCEEDING.

IF THE PANEL FINDS THE MEMBER GUILTY OF PROFESSIONAL MISCONDUCT, the panel shall make one or more of the following orders, pursuant to subsection 46(4) of the Act:

1. Directing the Registrar to revoke the Member's certificate of qualification or statement of membership.
2. Directing the Registrar to suspend the Member's certificate of qualification or statement of membership for a specified period, not exceeding 24 months.
3. Directing the Registrar to impose specified terms, conditions or limitations on the Member's certificate of qualification or statement of membership.
4. Directing that the Registrar not carry out a direction made under paragraph 1, 2 or 3 for a specified period and not carry out the direction at all if specified terms are met within that period.

IN ADDITION, IF THE PANEL FINDS THE MEMBER GUILTY OF PROFESSIONAL MISCONDUCT, the panel may make an order doing one or more of the following, pursuant to subsection 46(5) of the Act:

1. Requiring that the Member be reprimanded, admonished or counselled by the panel or its delegate and, if considered warranted, directing that the fact of the reprimand, admonishment or counselling be recorded on the register for a specified or unlimited period.
2. Imposing a fine in an amount that the panel considers appropriate, to a maximum of \$2,000, to be paid by the Member to the Minister of Finance for payment into the Consolidated Revenue Fund.
3. Directing that the finding and the order of the panel be published, in detail or in summary, with or without the name of the Member, in the official publication of the College and in any other manner or medium that the panel considers appropriate in the particular case.

4. Fixing costs to be paid by the Member.

A member whose conduct has been directed or referred to a proceeding before the Discipline Committee or panels thereof may examine before the hearing any written or documentary evidence that will be produced or any report, the contents of which will be given as evidence at the hearing. The College must provide the member with complete disclosure at least fifteen (15) days before the hearing on the merits of all evidence in the College's possession or control relevant to the allegations that is not privileged. To obtain disclosure in this matter, the Member or his legal counsel/representative should contact Louis P. Strezos, College Counsel in this matter, using the contact information noted below.

Date: June 20, 2017

"David Tsubouchi"

David Tsubouchi
Registrar & Chief Executive Officer
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To: Lindsay Priddle
[ADDRESS]
[ADDRESS]

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