



BY MAIL / EMAIL

Montreal, March 24<sup>th</sup>, 2017

**Subject: Refund for unperformed services *De Ste Foy* driving school and follow-up of your course in another driving school**

Dear Madam,  
Dear Sir,

You were identified as being a student who started a driving course in a school whose permit was closed. Indeed, your former driving school, *De Ste-Foy*, stopped its activities relative to the Safety Education Program on March 1<sup>st</sup>, 2017.

The Association québécoise des transports (AQTr) is mandated by the SAAQ to support students from suspended, revoked or closed driving schools in their process to transfer to another school. The AQTr will therefore provide students with a certificate (aka. attestation) to allow them to complete the driving course in another certified school and help students to get a refund for paid services that have not been delivered by the school.

You will therefore find enclosed to this letter the following documents: a memo note describing the different steps to follow, a copy of the Security contract and a sworn statement to sign.

*\*Please disregard this letter if you are in any of the following situations: services rendered completely, practical exam passed at the SAAQ or driver's license obtained.\**

Although this contract initially indicated an expiration on **May the 19<sup>th</sup>, 2018**, the insurance company informed us that it would actually end on **June the 1<sup>st</sup>, 2017**. Even though you could submit your request to the AQTr until **May the 25<sup>th</sup>, 2018**, **you should do this as soon as possible**. Thus, if some documents (receipts, etc.), which are part of the request, are missing, you will still have the opportunity to send them to the AQTr on time for the AQTr to transfer them to the insurance company before the expiration of the bond policy. Indeed, for you request to be complete and examined by the insurance company, you must provide the AQTr with a proof of payment for each payment you made to the school.

Also, be aware that you could be granted a lesser amount of money than submitted, since the driving school or the insurance company will determine the final amount to which they think you are entitled.

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The logo for AQTr, featuring the letters 'AQTr' in a bold, black, sans-serif font. The 'Q' and 'T' are connected, and the 'r' has a small tail. The logo is set against a yellow square background.

L'expertise en transport

## STUDENT'S SERVICES

Furthermore, the AQTr would like to inform you that the present letter, as well as the enclosed documents – which are also available online at [www.aqtr.com](http://www.aqtr.com) –, do not constitute a legal notice. If you wish to seek legal advice in this process, you should get in touch with a legal expert.

Wishing you find this information useful in order to transfer to another driving school.

Best regards,

A handwritten signature in black ink, appearing to be 'Sylvie Basque'. The signature is stylized and somewhat abstract, with a large loop at the top and several smaller loops below.

SB/fp

Sylvie Basque  
Chef de service  
Service du suivi des élèves  
Programme de reconnaissance  
des écoles de conduite

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Enclosed documents: memo, security contract and sworn statement

Association québécoise  
des transports



Programme de reconnaissance  
des écoles de conduite

6666, rue Saint-Urbain  
Bureau 470  
Montréal (Québec)  
H2S 3H1

Téléphone : 514.595.9110  
Sans frais : 1.855.595.9110  
Télécopieur : 514.370.8559

AQTr.com

reception.prec@aqtr.com

v. 2017-08

## STUDENT'S SERVICES

### STUDENT'S MEMO

#### How to Get a Refund for Unperformed Services? How to Resume your Course in another Driving School?

##### **1. Procedure to follow to be granted a refund and/or receive a certificate:**

You can either send to us through email [services.prec@aqtr.com](mailto:services.prec@aqtr.com) the requested documents or by mail to this address: 6666, rue Saint-Urbain (office 470), Montréal (Québec), H2S 3H1. It is also possible to come in person at the previous address by calling at 514-595-9110 extension 375,400 and 417 prior to your visit.

That day, make sure to send / bring along the following documents

- A copy of the contract that you signed with the driving school;
- A copy of both sides of your learner's licence. *If you have not got any yet, a copy of you Medical Insurance Card will do;*
- Any proof of payment you made to the driving school: i.e. cash withdrawals receipts, credit card statements, cheques copies, receipts, etc.;
- Student's follow-up sheet.

*Please note that if you disagree with what was written down on this sheet, you should add to the following document a letter listing the different modules as well as the various in-car practices that you think to have followed or completed. Try to describe precisely the differences between them so that the AQTr can consider your point of view and assess the situation;*

- The sworn statement which you signed in front of a sworn assessor or can be signed in our office.

Regarding the sworn statement;

- First, fill in the document completing all the required information (*but without signing nor dating it*);
- Then, go to any town hall or to any lawyers' office with the fully filled in document, where you will therefore sign and date the document in the presence of the attorney or a sworn assessor. You will still be able to do this free of charge at our office.

## STUDENT'S SERVICES

### 2. The refund process will take place in accordance with these 3 steps :

- The AQTr sends a final demand to the driving school to pay for the amount of money that is due. If the school answers our request, the AQTr will provide you with the refund that you are granted.
- Indeed, if the AQTr's demand is rejected, the AQTr will send a collective indemnity request to the Insurance Company of the driving school (see copy of the Security bond contract). Although this contract is expiring on the **19<sup>th</sup> of May 2018**, the insurance company informed us that it would actually end sooner than that; more precisely 3 months after the annulment of the bound, thus on the **1<sup>st</sup> of June 2017**. This means that the AQTr needs to send all the reimbursement demands at least on the **1<sup>st</sup> June of 2018** to the security company. Therefore, although you could submit your request until the **25<sup>th</sup> of May 2018** to the AQTr, **you should do this as soon as possible**. Afterwards, once the AQTr receives the security from the Insurance Company, she will send you a reimbursement cheque. However, keep in mind that due to the various delays described above, no cheque would be issued before the 1<sup>st</sup> of September 2018. Also, be aware that you could be granted a lesser amount of money than submitted.
- If by any chance, you are not provided with any refund, neither by the driving school nor by its insurance company, by the end of this process, you should ask for legal aid to the Small Claims Division Court of Quebec.

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You will find all the useful information that you need at:

<http://www.justice.gouv.qc.ca/english/publications/generale/creance-a.htm>

On this website, you will also be able to access simplified documents to make a request for Small Claims.

You might as well seek help to the Court in Quebec in person or by phone:

Court of Quebec  
Louis-Philippe-Pigeon building  
1200, route de l'Église  
Quebec (Quebec) G1V 4M1  
Phone number: 418-643-5140  
Free of charge number: 1-866-536-5140  
E-mail: [informations@justice.gouv.qc.ca](mailto:informations@justice.gouv.qc.ca)

**Important:** *this information do not constitute a legal notice. If you wish to seek legal advice in this process, you should get in touch with a legal expert.*

## STUDENT'S SERVICES

### **3. Steps to follow to resume your driving course in any other certified driving school**

To follow up your training in any other AQTr certified driving school, you would need to show the certificate (also commonly known as “attestation”) illustrating the various theory modules and/or in-car sessions that you have already taken at your previous school.

If you have not received the attestation yet and that you were part of a school that was suspended, revoked or closed, you will receive one from the AQTr.

Once you have the certificate, follow these steps:

- Go online and have a look at the list of the AQTr certified driving school located in your area : [www.aqtr.com](http://www.aqtr.com)
- Go and enrol at a new driving school with the attestation from the AQTr. This paper will allow you to resume your course, since the driving school will be able to check exactly which theory or practical classes you still have to attend;
- Sign a contract with the new school. Note that all the services provided by the new school are billable;
- Once you have succeeded the whole driving training, you will get another attestation from this driving school;
- **Remember to bring along both attestations** (i.e. the one from the AQTr and the one from the 2<sup>nd</sup> driving school) when you go to the SAAQ to take the final road test. Also, have at hand the letter for the RSEP form the AQTr.



**CAUTIONNEMENT PAR POLICE INDIVIDUELLE DE GARANTIE  
ÉCOLE DE CONDUITE**

CAUTIONNEMENT N° : 36007331-005

MONTANT: 50,000 \$

Période : du 2016-05-19 au 2018-05-19

Nous, École De Conduite De Ste-Foy (Omar Toumani, Prop.) 34 RUE HABEL, QUEBEC QC, G1B 0A9 ci après appelé Débiteur principal et La Capitale assurances générales inc., ci après appelée la Caution, sommes obligés solidairement envers Association Québécoise Des Transports ci après appelé Bénéficiaire, pour la somme de cinquante mille dollars ( 50,000 \$ ), monnaie légale du Canada, au paiement de laquelle nous nous engageons solidairement par les présentes envers le Bénéficiaire, ainsi que nos héritiers, nos exécuteurs, nos administrateurs, nos successeurs et nos représentants légaux respectifs.

ATTENDU QUE le Débiteur Principal exploite ou entend exploiter une école de conduite et a obtenu une accréditation à cet effet;

ATTENDU QUE l'exercice de ce commerce oblige, suivant le document intitulé Exigences détaillées relatives à la reconnaissance des écoles de conduite par les organismes accréditeurs habilités par la Société de l'Assurance automobile du Québec, le Débiteur principal à fournir un cautionnement dans le but d'indemniser les élèves en cas de fraude, faillite ou insolvabilité de l'école de conduite, qui n'ont pas été remboursés des sommes versées par eux, à titre d'acompte ou de versement en vertu du contrat avec l'école de conduite, pour toute séance théorique et/ou pratique non reçue dans le cadre d'un cours de conduite;

IL EST ENTENDU ET CONVENU QUE le présent cautionnement est valide pour toute la durée de l'entente (un an minimum) et que la Caution ne peut y mettre fin que moyennant un avis écrit d'au moins trois mois à AQT-Association québécoise des transports.

IL EST ENTENDU ET CONVENU QUE la Caution s'engage solidairement avec le Débiteur principal à payer d'abord le capital, les intérêts et les frais accordés par tout jugement final prononcé contre le débiteur principal, son représentant, le syndic ou la caution, ou constatés dans une entente ou transaction intervenue entre un élève, d'une part et le débiteur principal, son membre, son administrateur, son formateur, son préposé, son représentant, le syndic ou la caution, d'autre part, et mettant fin à un litige en vertu d'un contrat visé par le cautionnement.

IL EST ENTENDU ET CONVENU QUE la responsabilité totale de la Caution en vertu du présent cautionnement ou de tout renouvellement de celui-ci est limitée à la somme mentionnée ci-dessus ou à toute autre somme qui y sera substituée au moyen d'un avenant ou d'un certificat de prolongation;

IL EST ENTENDU ET CONVENU QUE malgré l'expiration du présent cautionnement, la Caution demeurera obligée en vertu du présent cautionnement à la condition qu'une réclamation en découlant soit faite dans le délai d'un an suivant l'expiration de ce cautionnement et que l'acte ou l'omission qui est à l'origine de cette réclamation se soit produit à un moment où le présent cautionnement était en vigueur;

IL EST ENTENDU ET CONVENU QUE si l'école cesse ses activités, le cautionnement sera retenu tant que l'école n'aura pas fourni la preuve à AQT-Association québécoise des transports que tous les remboursements dus aux élèves ont été effectués;

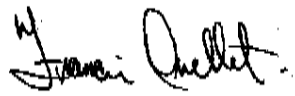
La Capitale assurances générales inc.


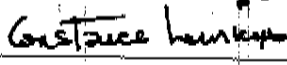
625, rue Saint-Amable  
C.P. 17100  
Québec (Québec) G1K 9E2

Téléphone : 418 266-9600 - 1 800 644-0607

IL EST ENTENDU ET CONVENU QUE si le montant du cautionnement est inférieur au montant total des réclamations, le cautionnement sera réparti au prorata des créances respectives;

EN FOI DE QUOI le Débiteur principal a signé les présentes et la Caution y a apposé son sceau corporatif dûment reconnu par la signature de ses officiers accrédités les jours et an mentionnés.

Témoin  
  
Témoin

École De Conduite De Ste-Foy (Omar Toumani, Prop.)  
  
Débiteur Principal  
La Capitale assurances générales inc.  
  
Mandataire

Une commission a été versée à l'agent.

La Capitale assurances générales inc.  
625, rue Saint-Amable  
C.P. 17100  
Québec (Québec) G1K 0E2  
Téléphone : 418 266-9600 • 1 800 644-0607

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## Déclaration sous serment / Sworn Statement

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Je soussigné(e)/I, the undersigned, \_\_\_\_\_  
(Prénom / First name) (Nom / Last name)

Résident(e) et domicilié(e) au /  
Living and domiciled in \_\_\_\_\_  
(Adresse / Address)

À/in \_\_\_\_\_  
(Ville / City) (Code postal / Zip code)

\_\_\_\_\_  
(Téléphone / Phone number) (Courriel / Email address)

Déclare m'être inscrit(e) le (date  
d'inscription) / I confirm my  
my enrolment on \_\_\_\_\_  
(Registration date) (JJ/MM/AA – DD/MM/YY)

À l'école de conduite (nom) /  
At the driving school (name) \_\_\_\_\_

Située au / Located at \_\_\_\_\_  
(Adresse / Address)

À / in \_\_\_\_\_  
(Ville / City) (Code postal/ Zip code)

À cette école, j'ai suivi / At this school, I attended \_\_\_\_\_ (nombre/amount) modules  
théoriques / theoretical modules et/and \_\_\_\_\_ (nombre/amount) sorties sur route / on-  
the-road sessions.

J'ai payé la somme totale de / I paid the total amount of: \_\_\_\_\_ \$.

J'ai payé le carnet d'accès à la route / I paid the Road Access Binder fees: \_\_\_\_\_ \$.

Inclus dans le prix total     Carnet vierge emprunté     Autre : \_\_\_\_\_  
/ Included in the total price    / Borrowed Road Access Binder    / Other

Les faits allégués dans le présent document sont véridiques à ma connaissance personnelle, et  
j'ai signé / I certify that to the best of my knowledge the information written down on the present  
document is true and I signed:

\_\_\_\_\_  
Signature de l'élève / Student's signature

\_\_\_\_\_  
Date (JJ/MM/AA – DD/MM/YY)

### ASSERMENTÉ DEVANT MOI / SWORN IN MY PRESENCE

À / in \_\_\_\_\_ ce / on \_\_\_\_\_

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Commissaire à l'assermentation  
/ Commissioner for Oaths

Pour le district de / for the district of \_\_\_\_\_