

Learning, Sharing, Building: REGISTRANT ENGAGEMENT IS POSITIVE FOR ALL

One of TICO's business objectives for 2013-2014 is to continue its registrant engagement activities. To that end, as has been previously reported, eight roundtable sessions were held through November, in London, Ottawa, Kingston, Toronto, Mississauga, Sudbury, St. Catharines and Ajax/Oshawa. Their intent was:

- To engage registrants and agents concerning their knowledge of and relationship with TICO.
- To receive input on the trade and consumer awareness campaign.
- To answer questions with regard to TICO and its mandate.
- To demonstrate TICO's commitment to the industry, and to encourage greater participation.
- To advance the dialogue with the industry and improve communications.

The majority attended because they were curious to learn more about TICO and its initiatives; in some cases, it was the first TICO event in their area. Some came to express dissatisfaction with specific aspects of TICO, or with questions on aspects of the legislation or the role of TICO. Networking with other registrants/agents and staying current on the industry were also reasons for attending.

Although most understood that TICO is responsible for regulating the industry, there continues to be a lack of understanding and/or misconceptions on TICO's specific mandate and role, which needs



to be addressed. Those who understood TICO's mandate felt regulation has been good for the industry.

Ideas generated around promoting TICO's mandate more effectively, as part of TICO's ongoing education efforts, included continuing to do roundtables, refresher courses on TICO's role and legislative misconceptions, webinars, and trade editorials. It was also suggested that TICO develop a cooperative communications effort with other industry associations.

The value in associating a registrant's business with TICO directly related to the individual's understanding of TICO's mandate. Most participants agreed that increased public awareness of TICO would help their business, and that they could do more to promote the benefits of TICO.

Continued on page 3...

Ontario travel agents are **FANTASTICO.**

IN THIS ISSUE...

Letter from the CEO	2	Presenting Cheryl Slocombe	4
Court Matters	3	Recent Closures	4
Omnibus Survey Results	3	First Notice of Annual General Meeting	6

TICO BOARD OF DIRECTORS 2013/2014

INDUSTRY REPRESENTATIVES

Ray DeNure
CEO

DeNure Tours
Lindsay

Jim Diebel
President

Hanover Holiday Tours Limited
Hanover

Jeff Element
President

The Travel Corporation (Canada)
Toronto

Louise Gardiner
Senior Director, Leisure Travel - Canada
Carlson Wagonlit Travel
Toronto

Daryl McWilliams
Vice President of Business Development
Sunwing Travel Group
Toronto

Thanushka Nanayakkara, CTM
President
NARAT Incorporated
Toronto

Paul Samuel
Manager, Overseas Travel Division
Vision 2000 Travel Group
Toronto

Richard Vanderlubbe – Vice Chair
President
Travel Superstore Inc.
Hamilton

Brett Walker
General Manager, Canada
Collette Vacations
Mississauga

MINISTERIAL APPOINTMENTS

Michael Janigan, J.D., LL.M. – Chair
Special Counsel,
Consumer and Regulatory Affairs
Public Interest Advocacy Centre
Ottawa

Jean Hébert,
Senior Consultant
Raymond Chabot Grant Thornton & Co
Ottawa

Patricia Jensen
Member
Consumers Council of Canada
Toronto

LETTER FROM THE CEO

*I*t's been a long, hard and very cold winter. I am sure, like me, you are looking forward to spring and to warmer weather. Over the winter, TICO has been busy with a number of projects.

TICO introduced Accounting Seminars for registrants. To date, two seminars have been conducted. The seminars cover the basic financial requirements for TICO agencies – trust accounting and working capital. We know that it is not easy running a business; however, a clear understanding of the financial requirements should help to ensure the business prospers. More seminars are being planned in the future. If you are interested in participating, contact TICO and we will advise you as future dates are scheduled. The seminars are free of charge so come out and participate.

Our Consumer & Registrant Awareness Programme continues to be a priority and the winter months were a busy time. TICO conducted eight roundtable sessions across the province in an effort to engage registrants and to clarify TICO's role. The sessions were a rewarding experience and I want to thank all those who took the time to come out and to provide feedback. Our consumer campaign has yielded some promising results. We have included some data from our Omnibus Survey in this issue for your information.

This is my penultimate TICO TALK newsletter. The search for my replacement has begun and my retirement date draws near. I have had an interesting time at the helm of TICO for almost 17 years. There have been a lot of changes during that time. I will reflect on my experiences in my final issue of TICO TALK in June. I hope to see many of you at the TICO AGM on June 24, 2014 at the Toronto Congress Centre. I encourage wholesale members to consider running for election. It is a wonderful way to share your knowledge and experience, and to make an important contribution to the industry.

Best Regards,



Michael Pepper,
President and CEO



One of the biggest gaps was in participants' awareness of the marketing tools available on TICO's website. At most, some had downloaded a TICO logo. Producing a poster for travel agencies that explained the benefits of TICO was seen as one opportunity to address this issue, along with emails offering a link to the collateral page on TICO's website.

With regard to the **FANTASTICO** consumer campaign, it was suggested that the campaign could be revised to focus more on the consequences of booking travel without a TICO agent. Using videos distributed via an internet link might be an effective way to communicate the objectives and scope of future consumer campaigns.

Without a doubt, the roundtable sessions were a valuable way to address misunderstandings and to build the industry's knowledge around TICO. While attendance at each session varied, the overall response was exceptionally useful. TICO will be using the feedback from both the roundtables and the omnibus survey (see adjacent sidebar) to develop its business strategies going forward. Building on the success of the roundtable discussions, additional sessions are being planned.

● **Accounting Seminars are a Hit**

Two hands-on accounting workshops were held at TICO's offices, in January and February. Twelve to fourteen registrants attended each, with the seminar focussing on trust reconciliations and financial statement disclosure.

Both proved to be extremely beneficial for those in attendance, with participants often helping to answer the questions that other participants posed. Due to the number of registrants wishing to attend, a third seminar is likely to take place in March.

Although the subject matter is best presented and discussed face-to-face, TICO may look into offering a webinar on accounting, in order to reach the maximum number of people. If you are interested in attending a future seminar, we encourage you to let TICO know.

Court Matters

CHARGES

Esterlina Coyant, Mirta Zamora and Amigo Travel Ltd. have been charged with one count each of failing to maintain trust accounts, contrary to **Section 27** of Ontario Regulation 26/05 made under the *Travel Industry Act, 2002*. Amigo Travel Ltd. operated in Toronto and elsewhere in Ontario.

Jane True and Rainbow Tours Inc. have been charged with one count each of operating as a travel wholesaler, contrary to **Section 4(1)(b)** of the *Travel Industry Act, 2002*. Rainbow Tours Inc. operates in Niagara Falls and elsewhere in Ontario.

Robert Van Kleek and Byron Swayze/Globe-Travellers Inc. o/a Pathway Tours have been charged with three counts each of

Continued on page 7...

Latest Omnibus Survey Posts Encouraging Results

Two awareness tracking studies were conducted on behalf of TICO during 2013. The first took place in the first quarter, and the second took place in the fourth quarter, following the 2013 TV Campaign. The online survey posed in-depth questions, and was conducted with a representative sample of 1,000 respondents in Ontario, 18 years of age and above. Key findings were:

- Between Q1 2013 and Q4 2013, overall awareness of TICO improved – and significantly within the Greater Toronto Ontario, which saw an increase in awareness from 24% to 32%.
- The incidence of booking online increased, especially booking through a travel agency online.
- In terms of source of awareness, TV and print were up slightly, while social media was up significantly. Radio remained the same as the previous period.
- While the ad unquestionably had a positive impact, the branding and messaging were not as clear among respondents who were not already familiar with TICO. Interestingly, those residing in Rest of Ontario were significantly more likely than those in Toronto to understand the link between protection when booking with a TICO registered agency. Less surprisingly, travellers were significantly more likely than non-travellers to appreciate the benefit of booking with a TICO registrant.

Closing Doors

Amigo Travel Ltd, located at 2437 Finch Avenue W., Suite 7, Weston had its registration as an Ontario travel retailer revoked on October 30, 2013. This travel agency is no longer in business.

Customers of **Amigo Travel** who have not yet travelled should contact the applicable service provider (airline, hotel, car rental, etc.) to establish whether the travel services purchased are confirmed and will be provided to you. Should the travel services not be confirmed, consumers must contact TICO at **1-888-451-8426** or **(905) 624-6241** or email tico@tico.ca to request a claim form against the Travel Compensation Fund. As there is a 6-month claim filing deadline, **claims must be received by TICO by May 1, 2014.**

Members of **Amigo Travel Club** who have been making monthly pre-authorized credit card payments should contact their credit card company and request that any future payments be terminated, as well as request a chargeback (refund) for payment where no travel services have been provided. As stated above, consumers are requested to contact TICO to request a claim form for payments made for travel services not provided. Again, the deadline for receiving a claim is **May 1, 2014.**

Consumers who made monthly payments to Amigo Travel Club by post-dated cheques/pre-authorized cheque payments should contact their respective banks to terminate any future payments. To claim against the Travel Compensation Fund for

PRESENTING

Cheryl Slocombe Complaints Officer, TICO



Please outline your career, before joining TICO?

I have worked in the travel industry for well over 20 years, beginning as a part-time reservations agent with Adventure Tours, while attending college to pursue a career in travel.

I stayed on with the company, which later became Signature Vacations, and worked there for more than 17 years. My last position was National Group Sales and Incentive Manager. After Signature Vacations merged with Sunwing, I went back to school to study business management, intending to move out of the travel industry. However, I was offered a job with iTravel 2000 as Groups/Wedding Manager and remained there until last summer.

When did you join TICO?

I joined TICO in August 2013 as a Complaints Officer. Funnily enough, despite my many years in the travel industry, I was still considered a “rookie”! However, my industry background helps immensely, particularly as I’ve worked on both the wholesale and retail side of the business. The travel business is wonderful, and one of the bonuses is that you’re always learning.

How do you describe your responsibilities as a Complaints Officer?

It’s pretty much self-explanatory, and always interesting. I handle complaints from the general public, on such issues as missing flights due to incorrect documentation, agency insolvencies, and service issues (prior to departure or in a destination). Sometimes we receive complaints on issues outside of the scope of Ontario’s legislation – for example, once I took a call from a consumer at an airport in Europe. Her purse had been stolen and she was seeking the assistance of TICO!

My main responsibility is to assess whether the complaint is in violation of the *Travel Industry Act, 2002*, and to act as a liaison between the consumer and the registrant, in order to try to come to a satisfactory solution.

I also attend trade shows in order to educate both consumers and registrants—or anyone wanting to join the travel industry—about TICO and what we represent.

What do people mainly complain about?

The main issues that I have encountered include non-disclosure of proper documentation to travellers, and dissatisfaction with services received, from either the booking agent, the tour operator, or from hotel staff in the destination.

Could you provide a few examples of complaints on these issues?

Often passports have to be valid anything from three to six months after the departure date, depending on the destination. Complaining consumers say that they were not advised of this during the booking process. My role is to thoroughly investigate whether the documents provided to the consumer were in compliance with the legislation.

Another complaint we receive frequently concerns hotels not supplying the amenities that were advertised by the tour operator in their brochure or on their website when travel was booked.

Of course, TICO is unable to assist when consumers are unhappy with the hotel because it did not meet their expectations with regards to food, cleanliness and customer service. Even when the complaint pertains to something not covered by the travel legislation, we try to point the consumer in the right direction.

That said, most of the complaints received are within TICO's mandate to investigate, and I would guess that the majority relate to documentation. If a complaint with a registrant cannot be resolved, then we forward the information to the Compliance department.

What is your biggest challenge as a Complaints Officer?

I always feel bad when someone has clearly been taken advantage of, but you have to be objective, even when you're trying to comfort people. Consumers don't always understand that our role is really to liaise between them and the registrant – as a Complaints Officer, I cannot compel an agency to refund the money.

What do you like best about your job?

Working behind the scenes has been a huge change for me. What I like the most is that I'm working in a less stressful environment, and there's plenty of variety since every situation is different. As I've become more familiar with the legislation, I've become more confident and efficient. It's always very satisfying when a consumer writes to thank me for assisting in resolving their complaint. I especially enjoy TICO's family-oriented environment; I already feel as though I have been working here for years! ▲

travel services not received, please follow the directions above. The deadline for receiving a claim is **May 1, 2014**.

Sky Asia Travel, located at 1635 Lawrence Avenue W., Suite 205B, Toronto voluntarily terminated its *Travel Industry Act, 2002* registration to do business as a travel retailer, effective January 16, 2014.

Consumers who purchased travel services from Sky Asia Travel and who are in possession of their airline tickets are asked to contact the airline(s) involved to confirm their travel arrangements. This includes any consumers who commenced their travel services prior to the failure of the travel agency and who may still be in destination. It is TICO's understanding that anyone in possession of their airline tickets will receive their travel services. However, we still recommend that consumers contact the airline to confirm their travel arrangements.

Those with future departures who purchased their travel services directly from Sky Asia Travel, and who will not be receiving their future travel services, may request a claim form from TICO (see above information). The 6-month deadline for filing a claim against the Ontario Travel Compensation Fund in relation to the non-provision of future travel is **July 17, 2014**.

Consumers who paid by credit card and the payment was processed by Sky Asia Travel should contact their credit card company and request a chargeback (refund), as well as request a claim form from TICO.

The Process Begins

In preparation for **Michael Pepper's** retirement at the end of June 2014, TICO issued a Request for Proposal for qualified Executive Search Consultants/Firms to assist in the search for suitable candidates for the President & CEO/Registrar position. A Selection Committee of the Board of Directors will be actively involved in the process, participating in the short-listing of candidates, conducting preliminary and secondary interviews, along with other key activities.

Although Michael Pepper is retiring at the end of June, he will remain involved—in an advisory capacity—for the short-term, to ensure a smooth transfer of responsibilities to the incoming President and CEO.



FIRST NOTICE ANNUAL GENERAL MEETING

TAKE NOTICE THAT the Annual General Meeting of the members of the Travel Industry Council of Ontario ("TICO") will be held at 4:00 p.m. on Tuesday, June 24, 2014 at the Toronto Congress Centre, 650 Dixon Road, Toronto, Ontario for the purpose of:

- (a) receiving the financial statements for the previous financial year, together with the Auditor's Report;
- (b) receiving and considering the Annual Report;
- (c) appointing the auditors for the next year and authorizing the Board of Directors to fix the auditor's remuneration;
- (d) considering an amendment to TICO By-Law No. One to change the board composition in light of the dissolution of the Canadian Institute of Travel Counsellors ("CITC"). The TICO Board is proposing that the CITC seat be eliminated and that an additional elected at large position be added to the Board. The third elected position would be open to an individual associated with either a Retail or Wholesale Registrant in good standing or with a Marketing Group of Registrants; and
- (e) transacting such other business as may properly come before the meeting.

Only members in good standing are entitled to participate in and vote at the meeting. Members of the public are invited to attend.

Written notice must be received by the Secretary on or before May 9, 2014, of any motions to be made at the Annual Meeting.

Members who will not be attending the meeting are invited to submit written requests for proxies. Copies of the audited financial statements as at and for the fiscal period ended March 31, 2014 will be available at the Annual General Meeting and may be requested in writing prior to the meeting.

DATED at Mississauga this 28th day of January, 2014.

On behalf of the Board of Directors

Tracey McKiernan
Secretary

2700 Matheson Blvd. East, Suite 402, West Tower, Mississauga, Ontario L4W 4V9
Tel: (905) 624-6241 Fax: (905) 624-8631 Toll-free: 1-888-451-TICO
E-mail: tico@tico.ca Website: www.tico.ca

● Election ALERT!

There will be an opening for one Wholesale position on the Board of Directors, which will be for a two-year term. Nomination Forms have been sent out to registrants, and the deadline for nominations to be received by TICO is April 25, 2014. We encourage anyone who feels that they are qualified to seriously consider running for this position. Being a Board member of TICO is an invaluable way to share your knowledge and expertise, while making an important contribution to the future of Ontario's travel industry. ▲

operating as a travel wholesaler without registration, contrary to **Section 4(1)(b)** of the *Travel Industry Act, 2002*. Byron Swayze/Globe-Travellers Inc. operated in London and elsewhere in Ontario and continued to operate after its registration under the *Act* was revoked in August 2012. Mr. Van Kleek is the president of Byron Swayze/Globe-Travellers Inc.

David Magazzinnich, Denise Elmaleh, Leon Elmaleh and Dealathons.com Inc. have been charged with one count each of operating as a travel retailer without registration, contrary to **Section 4(1)(a)** of the *Travel Industry Act, 2002*. Dealathons.com Inc. operates in Toronto and elsewhere in Ontario.



CONVICTIONS

Talha Choudhry and Super Asia Travel Inc. have been convicted on one count each of operating as a travel agent without registration, contrary to **Section 4(1)(a)** of the *Travel Industry Act, 2002*. Choudhry and Super Asia operated in the Toronto Region and elsewhere in Ontario. Consumers lost in excess of \$80,000 due to the actions of Mr. Choudhry and Super Asia Travel Inc. Mr. Choudhry was also convicted on one count of Defrauding the Public over \$5,000, and two counts of Possessing Counterfeit Instruments, contrary to the Criminal Code of Canada. For the criminal convictions, Mr. Choudry was sentenced to 24 months in jail, a Free Standing Restitution Order in the amount of \$112,829, and two years' of probation. With respect to the *Travel Industry Act, 2002* convictions, he was sentenced to serve six months in jail, to be served concurrently with the imprisonment that he is serving with respect to the criminal convictions. In addition, Mr. Choudhry is subject to a Free Standing Restitution Order in the amount of \$75,529 to the consumers who were affected. Super Asia Travel Inc. received a suspended sentence.

Cynthia Monica Burgher has been convicted on one count of acting as a travel agent without registration, contrary to **Section 4(1)(a)** of the *Travel Industry Act, 2002*. Ms. Burgher was previously registered under the *Act* and continued to sell bus charters in Toronto and elsewhere in Ontario after her registration was terminated. Ms. Burgher was fined \$4,000.

Judy Kadet-Kovacs has been convicted on two counts of operating as a travel agent without registration, contrary to **Section 4(1)(a)** of the *Travel Industry Act, 2002*. Ms. Kadet-Kovacs operated in Hamilton and elsewhere in Ontario. She was also convicted on three counts of fraud under the Criminal Code of Canada. The criminal convictions were related to the convictions under the *Act*. Ms. Kadet-Kovacs was sentenced to 12 months in jail on the criminal convictions and sentenced to six months' jail on the *Travel Industry Act, 2002* convictions, to be served concurrently with the criminal convictions. In addition, a Prohibition Order was issued under **Section 380.2** of the Criminal Code of Canada that prohibited Ms. Kadet-Kovacs from being employed in any capacity in the travel business or any other business in which she will have access to cash, credit cards or any other type of payment for a period of five years. She was previously convicted in 2007, under the *Travel*

Continued on page 8...

Changes to the Board

TICO would like to offer sincere thanks to **Coralie Belmen, Dr. James Savary and Shaher Bano Noor, CA.**, whose terms on the Board are completed. Their thoughtful contributions to TICO have been greatly appreciated.



TICO TALK Feedback

Once again, we would like to remind you that you may contact us with comments or questions on anything that you read in **TICO TALK** – or on any other travel industry matter. As we hope has been made abundantly clear, your opinions and concerns are of the utmost importance to us.

We can be reached at



**(905) 624-6241, or at
1-888-451-TICO,**
or by e-mail to
tico@tico.ca.

Upcoming Issues

In future issues of *TICO TALK* we plan to include:

- Update on the AGM and Election
- Update on the Consumer Awareness Campaign 2013-2014
- Trade Shows and upcoming events

Copyright © 2014 Travel Industry Council of Ontario. All rights reserved. Contents of this newsletter may be reproduced in whole or in part provided the intended use is for non-commercial purposes and the Travel Industry Council of Ontario is acknowledged as the source on all copies. Some materials in this newsletter may be subject to copyright from an outside source and therefore there may be different restrictions on the reproduction of this material. This newsletter is published by the Travel Industry Council of Ontario and is provided to all *Travel Industry Act* registrants. The information provided in this newsletter is provided for general knowledge purposes only and is not intended to be legal advice.



Travel Industry Council of Ontario

2700 Matheson Boulevard East,
Ste 402, West Tower,
Mississauga, Ontario L4W 4V9.

Tel: (905) 624-6241
Fax: (905) 624-8631
Toll-free: 1-888-451-TICO
e-mail: tico@tico.ca
web site: www.tico.ca

Court Matters continued from page 7

Industry Act, 2002, for failing to maintain trust accounts when she was the president of G&P Travel Ltd. G&P Travel Ltd's registration with TICO was terminated in 2006, and \$52,699.66 in claims were paid to consumers from the Ontario Travel Industry Compensation Fund.

Panorama Travel & Tours Ltd., Beata Kucharski and Zbigniew Kucharski were convicted on two counts each of failing to maintain trust accounts, contrary to **Section 27** of Ontario Regulation 26/05 made under the *Travel Industry Act, 2002*. TICO appealed the sentence for the reason that in imposing sentence, Justice of the Peace Shelley went outside of her jurisdiction. The Appeal was heard before Justice D.A. Harris of the Ontario Court of Justice. As a result of the Appeal, on the first count, Panorama Travel & Tours Ltd., Beata Kucharski and Zbigniew Kucharski received a suspended sentence. On the second count, Beata and Zbigniew Kucharski received a suspended sentence and must pay restitution to TICO of \$25,000 each, for a total of \$50,000. There is no deadline by which the restitution must be paid. On the second count, Panorama Travel & Tours Ltd was fined \$25,000. In addition, Beata and Zbigniew Kucharski and Panorama Travel & Tours Ltd. are subject to a one-year probation order and must write a letter about the failure of the company, including how the failure affected the travel industry.

Shireen Akhtar and Minfare Travel Inc. have been convicted of one count each of failing to maintain trust accounts, contrary to **Section 27** of Ontario Regulation 26/05, made under the *Travel Industry Act, 2002*. Minfare Travel Inc.'s registration under the *Act* was revoked on May 25, 2011. Ms. Akhtar is the president of Minfare Travel Inc. Approximately \$117,000 was paid from the Ontario Travel Industry Compensation Fund to consumers who did not receive their travel services due to the failure of Minfare Travel Inc. Ms. Akhtar was fined \$10,000 and is subject to a probation order for two years, during which she is required to inform any prospective travel industry employer of the conviction and to advise TICO within five days if she obtains employment in the travel industry. Minfare Travel Inc. was fined \$25,000.

Aamir Rashid has been convicted of three counts and **Minfare Travel Corporation** has been convicted of one count of operating as a travel agent without registration, contrary to **Section 4(1)(a)** of the *Travel Industry Act, 2002*. Aamir Rashid previously worked for Minfare Travel Inc. in Mississauga, Ontario. Minfare Travel Inc.'s registration under the *Act* was revoked on May 25, 2011. Mr. Rashid was a corporate director of Minfare Travel Corporation, which was never registered under the *Act*. Mr. Rashid was fined \$4,000 and is subject to a restitution order to repay consumers in the amount of \$1,591.56. Minfare Travel Corporation was fined \$4,000.



REVOCATIONS

Between October 30, 2013 and January 23, 2014, three companies had their registrations revoked: **Angie's All Seasons Travel Inc., Amigo Travel Ltd. and 1427286 Ontario Inc. o/a Voyages Rozon Travel Plus.** ▲