

BY EMAIL

Montreal, May 13, 2021

**Subject: Information regarding the closure of the branch L834 of
Pointe-Lévy (1988) inc driving school, pursuing your course in another driving
school and/or reimbursement assistance for services not rendered**

Dear Madam,
Dear Sir,

You were identified as a student who started a driving course in a school which has recently closed. Indeed, your former driving school, **Pointe-Lévy (1988) inc**, has voluntarily ceased the activities of its recognition number L834 related to the *Road Safety Education Program* on **April 28, 2021**.

If you wish to receive a driving course attestation or to get a refund for not rendered services, the first step is to contact the driving school's head office, which is located at 104, route du Président-Kennedy, suite 103, Lévis (Quebec) G6V 6C9.

If the previous step does not work out, you can turn to the Association québécoise des transports (AQTr). Indeed, the AQTr is mandated by the Société de l'assurance automobile du Québec (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 course 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 describing the different steps to take, a copy of the surety bond contract and a sworn statement to fill out.

Please do not take this letter into account if you are in any of the following situations: services rendered completely with final attestation in hand, or probationary license obtained.

The insurance company informed the AQTr that the bond is expiring on **June 12, 2021⁽¹⁾**. Therefore, you have until **May 28, 2022⁽¹⁾** to submit your request to the AQTr, but it is **recommended to do this as soon as possible**.


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

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 –, 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.

We hope that you found this information useful in order to transfer to another driving school.

Best regards,



SB/ah

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

Enc.: memo, sworn statement, questionnaire and security contract

⁽¹⁾ Please note that these dates are subject to change without notice



STUDENT'S MEMO

How to get a refund for non-rendered services? How to resume your course in another driving school?

In order to help you in this process, the AQTr strongly recommends you to read the following information.

Procedure to follow to be granted a refund and/or to obtain your driving course attestation

Send the documents listed below to the AQTr by:

- Email : services.prec@aqtr.com
- Fax : 514-370-8559
- Mail : 6666, rue Saint-Urbain (bureau 470), Montréal (Québec), H2S 3H1

Mandatory documents to provide:

- Copy of the learner's licence with photo
 - No learner's licence: copy of the health insurance card or other identification with photo
 - Paper version of the learner's licence (without photo): copy of your learner's permit + copy of health insurance card or other identification with photo
- Questionnaire (attached): to be completed and signed by hand
- Sworn statement (attached): to be completed and signed by hand
 - First, fill out the document, completing all the required information (*however without signing nor dating it*);
 - Then, go to any town hall or to any lawyers' office with the fully filled out document, where you will therefore sign and date the document in the presence of an attorney or a sworn assessor.

Supporting documents to provide if they are in your possession:

- A copy of the contract signed with the driving school;
- Any proof of progress in the driving program;
- Any proof of payment made to the driving school: i.e. cash withdrawals, receipts, credit card statements, check copies, etc.

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

1. The AQTr sends a final request 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.
2. However, if the AQTr's demand is ignored, the AQTr will send a collective indemnity request to the insurance company of the driving school. Although the date indicated on the bond is **June 12, 2021⁽¹⁾**, you have until **May 28, 2022⁽¹⁾** to submit your request to the AQTr, but **it is recommended to do this as soon as possible**.
3. Afterwards, once the AQTr receives the payment from the insurance company, the AQTr will provide you with the refund that you are granted. However, please keep in mind that due to the various delays described above, it could be possible that no refund would be sent before **August 28, 2022⁽¹⁾**. Moreover, please be aware that you could be granted a lesser amount of money than requested.

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 can ask for legal assistance to the Small Claims Division Court of Quebec.

You will find all the useful information that you need at: <https://www.justice.gouv.qc.ca/en/your-disputes/small-claims>

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 of 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
Toll-free number: 1-866-536-5140
E-mail: informations@justice.gouv.qc.ca

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

⁽¹⁾ Please note that these dates are subject to change without notice

Steps to take to resume your driving course in any other certified driving school

To pursue your training program in any other AQTr certified driving school, you need to have in hand the course attestation illustrating the various theoretical modules and/or on-the-road sessions that you have already completed with your previous school. If you have not yet received the attestation and were enrolled at a school that was suspended, revoked or closed, the AQTr has the authority to issue an attestation on their behalf.

To do so, please complete the steps mentioned in the first section of this document (“Procedure to follow to be granted a refund and/or to receive your driving course attestation”)

Once you have received the driving course attestation, below are the next steps to take:

- Go online and have a look at the list of the AQTr certified driving school located in your area : <https://aqtr.com/ecoles-conduite/informations-eleves/liste-ecoles-accreditees>;
- 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 know exactly which theoretical module(s) or on-the-road session(s) are left to complete;
- Sign a new service contract with the new driving school. The services provided by the new driving school will be charged;
- Once you have completed the whole training program with success, you will receive another attestation from this driving school;
- **Remember to bring along both original attestations** (i.e. the one received from the AQTr and the one from the 2nd driving school) when you go to the SAAQ to take the final on-the-road test.



Déclaration sous serment / Sworn Statement

Je soussigné(e) / _____
I, the Undersigned (Prénom / *First name*) (Nom / *Last name*)

Résident(e) et domicilié(e) au / _____
Living and domiciled at (Adresse / *Address*)

(Ville / *City*) (Code postal / *Postal code*)

(Téléphone / *Phone number*) (Courriel / *Email address*)

Déclare m'être inscrit(e) le (date d'inscription) / _____
Declare that I registered on (Registration date) (JJ/MM/AA – DD/MM/YY)

À l'école de conduite (nom) / _____
At the driving school (name) (Nom de l'école / *School name*)

Située au / *Located at* _____
(Adresse / *Address*)

(Ville / *City*) (Code postal / *Postal code*)

À cette école, j'ai suivi / _____ modules théoriques / *theoretical modules*
At this school, I attended : (nombre / *amount*)

(nombre / *amount*) sorties sur route / *on-road sessions*.

J'ai payé la somme totale de / *I paid a total amount of:* _____ \$.

J'ai payé le carnet d'accès à la route / *I paid the Road Access Binder :*

_____ \$
(montant en sus / *amount over*)

Inclus dans le prix total /
Included in the total price

Carnet vierge emprunté /
Borrowed Road Access Binder

Autre/ : _____
Other

Je déclare solennellement que les renseignements faisant l'objet de cette déclaration sont véridiques et complets / *I solemnly declare that all the information in this statement is accurate and complete.*

Signature de l'élève / *Student's signature*

Date (JJ/MM/AA – DD/MM/YY)

ASSERMENTÉ DEVANT MOI / SWORN BEFORE ME

À / in _____ ce / on _____

Commissaire à l'assermentation /
Commissioner for Oaths

Numéro du commissaire /
Commissioner number



POLICE DE CAUTIONNEMENT INDIVIDUEL

Numéro du cautionnement : TMS 903 3822

Conformément aux lois, règlements et autres autorisations régissant les écoles de conduite ainsi qu'au document intitulé *Exigences détaillées relatives à la reconnaissance des écoles de conduite par les organismes agréés par la Société de l'assurance automobile du Québec*, la caution s'engage solidairement avec le débiteur principal ainsi que leurs héritiers, exécuteurs testamentaires, administrateurs, successeurs et ayant droits respectifs envers l'Association québécoise des transports (AQTr), jusqu'à concurrence du montant indiqué ci-après.

1. NOM DU DÉBITEUR PRINCIPAL : ECOLE DE CONDUITE POINTE-LEVY (1988) INC.

2. MONTANT DU CAUTIONNEMENT : cinquante mille dollars (50 000,00 \$)
(en lettres et en chiffres, en dollars canadiens)

3. DATE D'EFFET : 26 mai 2018

4. ATTENDU QUE, le débiteur principal a fait une demande de certificat de reconnaissance à l'AQTr pour obtenir le statut d'école de conduite reconnue en vertu de la loi.

5. ATTENDU QUE, aux fins d'une telle reconnaissance, le débiteur principal doit fournir un cautionnement visant à indemniser les élèves en cas de fraude, de faillite ou d'insolvabilité de l'école, lequel cautionnement garantit le paiement du capital, des intérêts et des frais accordés par tout jugement final prononcé contre l'école, son représentant, le syndic ou la caution, ou constatés dans une transaction intervenue entre un élève, d'une part et l'école, 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 de services conclu avec un élève aux fins de l'enseignement de la conduite.

6. ATTENDU QUE, le présent cautionnement aura pleine force et effet dans la mesure où le certificat de reconnaissance est délivré au débiteur principal. Par conséquent, la caution assumera les obligations qui lui incombent à ce titre, telles que décrites précédemment, en cas de défaut du débiteur principal.

7. MALGRÉ CE QUI PRÉCÈDE, il est entendu et convenu que la responsabilité totale de la caution en vertu du présent cautionnement se limitera à la somme mentionnée ci-dessus ou à toute somme qui y sera substituée au moyen d'un avenant ou d'un certificat de prolongation. La caution doit informer l'AQTr, sans délai, de toute modification au montant du cautionnement au moyen d'un avis écrit.

8. IL EST ENTENDU ET CONVENU QUE le présent cautionnement est valide pour toute la durée du certificat de reconnaissance tant que la responsabilité du débiteur principal est engagée envers un élève. Toutefois, la caution peut mettre fin au cautionnement au moyen d'un préavis écrit d'au moins quarante-cinq (45) jours, expédié par poste recommandée à l'AQTr, auquel est jointe la preuve qu'une copie du préavis a été notifiée au débiteur principal. En outre, l'AQTr devra aviser la caution dans un délai raisonnable suivant la révocation de la reconnaissance, et la caution ne sera pas tenue responsable des obligations survenues après la date de ladite révocation.

9. IL EST ENTENDU ET CONVENU QUE les obligations de la caution continuent de s'appliquer pour une durée d'un an suivant l'expiration du cautionnement à l'égard d'une créance née durant la période pendant laquelle le cautionnement était en vigueur

10. IL EST ENTENDU ET CONVENU QUE la caution renonce par les présentes aux bénéfices de discussion et de division.

EN FOI DE QUOI le débiteur principal et la caution ont signé les présentes et la caution y a apposé son sceau corporatif à Laurier-Station ce 26 jour de mai 2018.

DÉBITEUR PRINCIPAL

Martin Guay
Signature (témoin)

France Dubé
Signature (débiteur principal)

Martin Guay
Nom du témoin (en lettres majuscules)

FRANCE DUBÉ
Nom du représentant autorisé (en lettres majuscules)

679 St-Joseph Lévis
Adresse du témoin
JGU-156

PRÉSIDENT
Qualité ou fonction du représentant autorisé

CAUTION

Patrick Nadeau
Signature (témoin)

MAGGY MAGHER (sceau)
Signature (caution)

PATRICK NADEAU
Nom du témoin (en lettres majuscules)

Maggy Magher, Mandataire
Nom du représentant autorisé (en lettres majuscules)

2500 BEAUREVOIR
Adresse du témoin

Mandataire
Qualité ou fonction du représentant autorisé

QUÉBEC QC G2C 0M4

1501 avenue McGill College, bureau 1620
Montréal (Québec) H3A 3M8

Adresse de la caution