



CITATION: ORDER OF ABATEMENT

To: Edison Truck and Bus Driving School, Inc., Owner
Edison Truck and Bus Driving School, Inc.
2024 North Durfee Avenue
South El Monte, CA 91733

INSTITUTION CODE: 1937251

CITATION NUMBER: 1920085

CITATION ISSUANCE/SERVICE DATE: September 17, 2019

DUE DATE: October 17, 2019

FINE AMOUNT: \$ 00.00

ORDER OF ABATEMENT INCLUDED: YES

Christina Villanueva issues this Citation: Order of Abatement (Citation) in her official capacity as Discipline Manager of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Edison Truck and Bus Driving School, Inc, Owner of Edison Truck and Bus Driving School, Inc. (Institution) located at 2024 North Durfee Avenue, South El Monte, CA 91733 pursuant to Business and Professions Code section 125.9; California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 for the violations described below.

BACKGROUND

All institutions are required to pay the annual fee within 30 days of the date on which the Institution originally receives its approval to operate and each year thereafter on the anniversary of the date of the original approval. An institution shall pay its annual fee in addition to any other applicable fees.

Pursuant to 5, CCR section 74006(a) and (b) and CEC section CEC section 94930.5 (g). Effective July 1, 2018, the annual fee for each campus described in subparagraphs (A) and (B) of paragraph (1) of subdivision (d) shall be in an amount equal to 0.55 percent of that campus' total gross revenue derived from students in California, but not to be less than two thousand five hundred dollars (\$2,500) and not to exceed sixty thousand dollars (\$60,000) for each campus.

As of September 17, 2019, the Bureau has not received the annual fee for the calendar year 2019 from the Institution.

VIOLATION

#	Below you will find the California Education Code (CEC) and/or Title 5 of the California Code of Regulations (5, CCR code) section(s) of law you are charged with violating.
1.	<p><u>Violation:</u> 5, CCR Section 74006(a) and (b) - Annual Fee <i>“(a) An institution's annual fee is due within 30 days of the date on which the institution originally receives its approval to operate and each year thereafter on the anniversary of the date of the original approval. (b) An institution shall pay its annual fee in addition to any other applicable fees.</i></p> <p>CEC Section 94930.5 (g) - Fee Schedule <i>(g) effective July 1, 2018, the annual fee for each campus described in subparagraphs (A) and (B) of paragraph (1) of subdivision (d) shall be in an amount equal to 0.55 percent of that campus' total gross revenue derived from students in California, but not to be less than two thousand five hundred dollars (\$2,500) and not to exceed sixty thousand dollars (\$60,000) for each campus.</i></p> <p>CEC Section 94931 (b) - Late Payment <i>“(b) A fee that is not paid on or before the 90th calendar day after the due date for payment of the fee shall be subject to a 35 percent late payment penalty fee.”</i></p> <p>The Institution has failed to pay its annual fee for calendar year 2019.</p> <p>On December 3, 2018, the Institution was notified (Invoice # 900337942) via mail, at 2024 North Durfee Avenue, South El Monte, CA 91733, stating that the annual fee for calendar year 2019 was due on January 1, 2019.</p> <p>On February 19, 2019, the Institution was notified (Invoice # 900339818) via mail, at 2024 North Durfee Avenue, South El Monte, CA 91733, stating that the annual fee for calendar year 2019 was due on January 1, 2019.</p> <p>On April 15, 2019, the Institution was notified (Invoice # 900339818) via mail, at 2024 North Durfee Avenue, South El Monte, CA 91733, stating that the annual fee for calendar year 2019 was due on January 1, 2019. As of September 17, 2019, the Bureau has not received the annual fee from the Institution.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to submit its annual fee payment for calendar year 2019 in accordance with 5, CCR section 7400(a)(b) and CEC section 94950.5 (g). In addition, the Institution must pay all late penalty fees.</p> <p><u>Assessment of Fine</u> The fine for this violation is \$00.00</p>
TOTAL ADMINISTRATIVE FINE DUE: \$00.00	

COMPLIANCE WITH ORDER OF ABATEMENT

In accordance with the provisions of CEC section 94936 and 5, CCR section 75020 the Bureau hereby issues the order(s) of abatement described above. **Evidence of compliance with the order of abatement must be submitted, to the Bureau, within 30 days from the date of service of the Citation.**

APPEAL OF CITATION

You have the right to contest this Citation through an informal conference with the Bureau; and/or through an administrative hearing in accordance with Chapter 5 (Commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you wish to contest this Citation, you must submit the 'Notice of Appeal of Citation – Request for Informal Conference **and/or** Administrative Hearing' form (enclosed) within 30 days from the date of service of the Citation. *If you do not request an informal conference **and/or** an administrative hearing within 30 days from the service of the Citation, you will not be able to request one at a later time.*

Unless a written request for an informal conference **and/or** an administrative hearing is signed by you and delivered to the Bureau by **October 17, 2019** you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **September 17, 2019**. The evidence of compliance with the order of abatement shall be due by **October 17, 2019**.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.

Evidence of compliance with the order of abatement and/or written request for appeal must be mailed to:

Cheryl Lardizabal, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

If you have any questions regarding this Citation, or desire further information, please contact Cheryl Lardizabal, Citation Analyst, at (916) 621-2591 or Cheryl.Lardizabal@dca.ca.gov.

Signature on file

Christina Villanueva
Discipline Manager

Date

Enclosures

- Applicable Laws Violated
- Statement of Rights: Appeal Process Information Sheet
- Notice of Appeal of Citation: Request for Informal Conference and/or Administrative Hearing
- Declaration of Service by Certified and First-Class Mail