



**CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: The Esani Institute, LLC, Owner  
 The California Academy, Inc., dba Paul Mitchell The School Sacramento  
 2100 Arden Way, Suite 265  
 Sacramento, CA 95825

**INSTITUTION CODE: 50085278**  
**CITATION NUMBER: 1920148**  
**CITATION ISSUANCE/SERVICE DATE: December 3, 2019**  
**DUE DATE: January 2, 2019**  
**FINE AMOUNT: \$ 501.00**  
**ORDER OF ABATEMENT INCLUDED: Yes**

Christina Villanueva issues this Citation: Assessment of Fine and 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 The Esani Institute, LLC, Owner of The California Academy, Inc., dba Paul Mitchell The School Sacramento (Institution) located at 2100 Arden Way, Suite 265, Sacramento, CA 95825, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On March 6, 2019, Bureau staff conducted an unannounced compliance inspection at the Institution. The Institution was issued Notice to Comply #CU 50085278 0319 (NTC) as a result of three minor violations that were unable to be cleared before the end of the inspection. The Institution was given thirty days from the date of the inspection to either remedy all violations listed in the NTC or submit a written Notice of Disagreement. A Notice of Disagreement was not received, and the Institution was able to clear two of the three violations.

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.	<b>Violation:</b> <b>CEC Section 94935(b)(h) Notice to Comply</b>

*(b) An institution that receives a notice to comply shall have no more than 30 days from the date of inspection to remedy the noncompliance.*  
*(h) If an institution fails to comply with a notice to comply within the prescribed time, the bureau shall take appropriate administrative enforcement action.*

The Institution failed to comply with the NTC within the prescribed time of 30 days. The institution was unable to submit proof of compliance with the following laws and regulations:

- CEC Section 94911(e)(1) Minimum Requirements for Enrollment Agreements

**Order of Abatement:**

The Institution shall submit proof of compliance with the NTC violation listed above.

**Assessment of Fine**

The fine for this violation is \$501.00

**TOTAL ADMINISTRATIVE FINE DUE: \$501.00**

ASSESSMENT OF A FINE

In accordance with CEC section 94936; and 5, CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fine in the amount of **\$501.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

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(s) 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 **January 2, 2020**, 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 **December 2, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **January 2, 2020**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

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.

**Payment of the administrative fine and/or written request for appeal must be mailed to:**

Cheryl Lardizabal, Discipline Citation Program  
Bureau for Private Postsecondary Education  
P.O. Box 980818  
West Sacramento, CA 95798-0818

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 Cheryl.Lardizabal@dca.ca.gov.

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**Christina Villanueva**  
**Discipline Manager**

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**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
- Payment of Fine – Waiver of Appeal
- Declaration of Service by Certified and First- Class Mail
- Notice to Comply #CU 50085278 0319