



Bureau for Private Postsecondary Education
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834
P.O. Box 980818, West Sacramento, CA 95798-0818
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CITATION: ORDER OF ABATEMENT

To: Amarillo College of Hairdressing, Inc., Owner
Milan Institute of Cosmetology
934 Missouri Street
Fairfield, CA 94533

INSTITUTION CODE: 50047288
CITATION NUMBER: 2021044
CITATION ISSUANCE/SERVICE DATE: August 5, 2020
DUE DATE: September 4, 2020
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 Amarillo College of Hairdressing, Inc., Owner of Milan Institute of Cosmetology (Institution) located at, 934 Missouri Street, Fairfield, CA 94533, 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 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 94930.5 (d)(1)(B) – An annual campus fee for each branch of the institution in an amount equal to 0.45 percent of the branch’s 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).

As of August 5, 2020, the Bureau has not received the late payment penalty fee for the 2017 calendar year 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.	Violation: 5, CCR Section 74006(a) and (b) - Annual Fee

“(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.

CEC Section 94930.5 (d)(1)(B)- Fee Schedule

(d) (1) In addition to any fees paid to the bureau pursuant to subdivisions (a) to (c), inclusive, each institution that is approved to operate pursuant to this chapter shall remit both of the following:

(B) An annual campus fee for each branch of the institution in an amount equal to 0.45 percent of the branch's 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).”

CEC Section 94931(a) -Late Payment

“(a) A fee that is not paid on or before the 30th calendar day after the due date for the payment of the fee shall be subject to 25 percent late payment penalty fee.”

The Institution has failed to pay its late payment penalty fee for calendar year 2017.

On April 14, 2017, the Institution was notified Invoice # 900320600 via mail at, 2345 W. Beech Avenue, Suite 4139, Visalia, CA 93277, stating that the annual fee for calendar year 2017 was due on May 1, 2017.

On June 7, 2017, the Bureau received the annual fee for calendar year 2017 in the amount of \$2,746.72.

On June 15, 2017, the Institution was notified Invoice # 900322353 via mail at, Corporate Compliance Department 1720, W. Walnut Avenue, Visalia, CA 93277, stating that the annual fee for calendar year 2017 was due on May 1, 2017.

On July 3, 2017, the Institution was notified that a balance of \$686.68 for the 25% late fee was due as the annual fee payment was received after May 31, 2017.

As of August 5, 2020, the Bureau has not received the payment for the late payment penalty fee from the Institution.

Order of Abatement:

The Bureau orders the Institution to submit its late payment penalty fee per CEC Section 94931 (a).

Assessment of Fine

The fine for this violation is \$00.00

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 **September 4, 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 **August 5, 2020**. Evidence of compliance with the order(s) of abatement shall be due by **September 4, 2020**. 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.

Written request for appeal must be mailed to:

Gurinder Sandhu, Discipline Citation Program
Bureau for Private Postsecondary Education
1747 N. Market Blvd., Suite 225
Sacramento, CA 95834

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 Gurinder Sandhu at (916) 574-8964 or Gurinder.Sandhu@dca.ca.gov.

“Original signature on file”

“8/5/2020”

Christina Villanueva

Date

Discipline Manager

Enclosures

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