



**APPEAL OF CITATION INFORMAL CONFERENCE**  
**DECISION: CITATION MODIFIED**

March 13, 2019

Brian Jump, Owner  
 Superior Auto Institute A.K.A. Superior Companies LTD  
 26945 Cabot Road #103  
 Laguna Hills, CA 92653

Date of Issuance	Citation Number	Institution Code
March 13, 2019	1819083	Unapproved

On February 14, 2019, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1819083 (Citation) against Brian Jump, Owner of Superior Auto Institute A.K.A. Superior Companies LTD. In attendance were Leeza Rifredi, Deputy Bureau Chief and Brian Jump, Owner.

Pursuant to Business and Professions Code, §148; California Education Code (CEC), section 94944; and Title 5 of California Code of Regulations (5, CCR), section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1819083.

It is the decision of the Deputy Bureau Chief that on February 14, 2019, Citation No. 1819083 is modified and makes the following change(s):

VIOLATION CODE SECTIONS

#	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><b>MODIFIED</b>  <b><u>Violation:</u></b>  <b>CEC Section 94886. Approval to Operate Required</b>  <i>“Except as exempted in Article 4 (commencing with Section 94874) or in compliance with the transition provisions in Article 2 (commencing with Section 94802), a person shall not open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter.”</i></p> <p><b>CEC Section 94817.5. Approved to Operate or Approved</b>  <i>“Approved to operate” or “approved” means that an institution has received authorization pursuant to this chapter to offer to the public and to provide postsecondary educational programs.”</i></p>

**CEC Section 94868. To Offer to the Public**

*"To offer to the public" means to advertise, publicize, solicit, or recruit."*

**CEC Section 94869. To Operate**

*"To operate" means to establish, keep, or maintain any facility or location in this state where, or from which, or through which, postsecondary educational programs are provided."*

On August 13, 2014, the Institution was granted a verification of exemption under CEC section 94874(f) by the Bureau. The basis of the exemption was a document that the owner provided to the Bureau that demonstrated that the Institution charges \$1,995 for a 40-hour Paintless Dent Removal (PDR) course and \$2,495 for an 80-hour PDR course.

On September 5, 2018, the Bureau received an invoice from a complainant that was issued by the Institution for a PDR 80-hour, ten-day training course. The amount of the tuition listed on the invoice is \$5,100.

On September 28, 2018, the Bureau searched Google for "PDR training California" and found an advertisement for the Institution that states; "Learn PDR in California I Call about our \$3995 promotion." The advertisement also includes a link to the Institution's website.

Based on the Bureau's investigation, the Institution is conducting business in California as a private postsecondary education institution at 26945 Cabot Road #103, Laguna Hills, California 92653. The Institution is not exempt from the provisions of the California Private Postsecondary Act. The Institution advertises private post-secondary education courses, charging over \$2,500. As such, the Institution falls under the definition of a private postsecondary educational institution under CEC section 94858. As of January 16, 2019, the Institution continues to operate as an unapproved private postsecondary education institution.

**Order of Abatement:**

The Bureau orders that the Institution cease to operate as a private postsecondary education institution. The Institution must discontinue recruiting or enrolling students and cease all instructional services and advertising in any form or type of media, including the [www.Superiorautoinstitute.com](http://www.Superiorautoinstitute.com) Internet web site and any other websites not identified here that are associated with the Institution, until such time as an approval to operate is obtained from the Bureau. The Institution must disconnect all telephone service numbers (including 1-888-992-3464) that are associated with the Institution until such time as an approval to operate is obtained from the Bureau. To comply with the Order of Abatement the Institution must submit a school closure plan to the Bureau pursuant to California Education Code section 94926. The institution must provide a roster of each student currently enrolled at the Institution. The roster must include the names of the students, their contact information (including phone number, email address, and physical address), the programs in which they are enrolled, the amount paid for the programs.

Reason for modification: New substantive facts were presented at the conference.

The administrative fine for this violation has been modified from \$75,000.00 to \$5,000.00.

## ORDER OF ABATEMENT

**The Bureau orders that you comply with the orders described in the 'Violation Code Sections' of this document and submit evidence of compliance within 30 days from the date of this decision.**

### PENALTY – ASSESSMENT OF A FINE

**Payment of the administrative fine is due within 30 days from the date of this decision.** Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

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

### APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. You *do*, however, have the right to appeal this modified Citation through an Administrative Hearing, *only if* you initially requested one within 30 days from the issuance date of the original citation. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. If you did not initially request an Administrative Hearing within 30 days from when the original citation was issued, you can no longer request one.

If you do not wish to appeal this modified Citation you must withdraw your initial request for an Administrative Hearing, if one was made. Please complete and mail the enclosed Withdrawal – Request for Administrative Hearing within **30 Days** of the date of this decision.

### EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This modified Citation is effective on **March 13, 2019**. The order of abatement and payment are due by **April 12, 2019**.

Failure to abate the violation or to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Modified Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

