



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: A-1 Truck Driving School, Inc., Owner
A-1 Truck Driving School, Inc.
2977 Baumberg Avenue
Hayward, CA 94545

INSTITUTION CODE: 0106221

CITATION NUMBER: 2021197

CITATION ISSUANCE/SERVICE DATE: February 25, 2021

DUE DATE: March 27, 2021

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 A-1 Truck Driving School, Inc., Owner of A-1 Truck Driving School, Inc. (Institution) located at, 2977 Baumberg Avenue, Hayward, CA 94545, 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

On March 6, 2020, the Bureau previously issued Citation: Assessment of Fine and Order of Abatement No. 1920249 to the Owner of the Institution for multiple violations of Bureau law and regulations including but not limited to, failing to include required documents in the student files; failing to include documentation of the educational qualifications of each member of the faculty, and failing to submit the 2017 Annual Report. To date, the Order of Abatement remains outstanding.

In addition, 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 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 February 25, 2021, the Bureau has not received the 30-day late payment penalty fee for the 2020 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.	<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) Notwithstanding subdivision (d), 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(a)- Late Payment <i>“(a) A fee that is not paid on or before the 30th calendar day after the due date for payment of the fee shall be subject to a 25 percent late payment penalty fee.”</i></p> <p>The Institution has failed to pay its 30-day delinquency fee for calendar year 2020.</p> <p>On October 1, 2020, the Institution was notified, Invoice # 900354654, via mail at, 2977 Baumberg Avenue, Hayward, CA 94545, stating that the annual fee for calendar year 2020 was due on November 1, 2020.</p> <p>On December 15, 2020, the Institution was notified, Invoice # 900355270, via mail at, 2977 Baumberg Avenue, Hayward, CA 94545, stating that the annual fee for calendar year 2020 was due on November 1, 2020.</p> <p>On December 14, 2020, the Bureau received a \$2,500 payment for the 2020 annual fee.</p> <p>As of February 25, 2021, the Bureau has not received the 30-day late payment penalty fee from the Institution.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to pay all late payment penalty fees in accordance with 5, CCR section 74006 (a)(b) and CEC section 94931 (a).</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 **March 27, 2021**, 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 **February 25, 2021**. Evidence of compliance with the order(s) of abatement shall be due by **March 27, 2021**.

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:

Cheryl Lardizabal, 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 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) 574-8968 or Cheryl.Lardizabal@dca.ca.gov.

“Original signature on file”

“2/25/2021”

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