



**Bureau for Private Postsecondary Education**  
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834  
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**MODIFIED CITATION:**  
**ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: Bentley-Forbes Security Training Academy, Inc., Owner  
Bentley-Forbes Security Training Academy, Inc.  
15720 Ventura Boulevard, Suite 417  
Encino, CA 91436

**INSTITUTION CODE: 98908161**

**CITATION NUMBER: 1819156**

**MODIFIED CITATION ISSUANCE/SERVICE DATE: May 27, 2020**

**MODIFIED DUE DATE: June 26, 2020**

**FINE AMOUNT: \$ 900.00**

**ORDER OF ABATEMENT INCLUDED: YES**

Christina Villanueva issues this Modified 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 Modified Citation is hereby issued to Bentley-Forbes Security Training Academy, Inc., Owner of Bentley-Forbes Security Training Academy, Inc. (Institution) located at 15720 Ventura Boulevard, Suite 417, Encino, CA 91436, 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

The Bureau previously issued Citation: Assessment of Fine and Order of Abatement No. 1819156 to the Owner of the Institution on March 21, 2019, which was appealed by the Institution and subsequently withdrawn without prejudice on May 18, 2020.

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><b><u>Violation:</u></b>  <b>CEC Section 94920(e) - Mandatory Cancellation, Withdrawal, and Refund Policies</b>  <i>An institution that does not participate in the federal student financial aid programs shall do all of the following:</i>  <i>(e) The institution shall pay or credit refunds within 45 days of a student’s cancellation or withdrawal.</i></p> <p><b>5, CCR Section 71920(b)(9)(10) - Student Records</b>  <i>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</i></p>

- (9) A document showing the total amount of money received from or on behalf of the student and the date or dates on which the money was received;
- (10) A document specifying the amount of a refund, including the amount refunded for tuition and the amount for other itemized charges, the method of calculating the refund, the date the refund was made, and the name and address of the person or entity to which the refund was sent.

On June 27, 2018, Bureau staff conducted a review of withdrawn student files and found that files were missing the documents showing the total refund made to the students. The Institution was unable to provide the documentation for the refund calculations for students who cancel or withdraw. D.W, Owner, explained to Bureau staff that the Institution works with agencies which provide tuition for the students. He stated these agencies will pay the tuition for a group of students in one payment and if the student cancels or withdraws the Institution notifies the agency and the agency has told the Institution to retain the funds as the funds are considered already paid and it will throw off their accounting ledger. The institution failed to provide the documentation to support this claim. The institution failed to issue refunds within 45 days of a student's cancellation or withdrawal.

**Order of Abatement:**

The Bureau orders the Institution to provide documentation to verify the amount received on student's behalf that reflects the number of hours attended.

**Modified Order of Abatement:**

The Bureau orders the Institution to submit to the Bureau the refund policy for the return of unearned institutional charges if the student cancels an enrollment agreement or withdraws during a period of attendance that complies with CEC section 94920(e). Also, the Institution shall submit to the Bureau a policy that complies with the Student Record keeping requirements, pursuant to 5, CCR section 71920(b)(9)(10).

On May 19, 2020, the Institution submitted evidence of compliance to the Bureau. The Order of Abatement has been satisfied.

**Assessment of Fine**

The fine for this violation is \$2,500.00

**The modified administrative fine for this violation is \$900.00**

2. **Violation:**

**CEC Section 94885(a)(6) and (9)- Minimum Operating Standards**

*"(a) The bureau shall adopt by regulation minimum operating standards for an institution that shall reasonably ensure that all of the following occur: [...]"*

*(6) The institution is financially sound and capable of fulfilling its commitments to students. [...]"*

*(9) The institution is maintained and operated in compliance with this chapter and all other applicable ordinances and laws."*

**5, CCR Section 71745(a)(6)- Financial Resources.**

*"(a) The institution shall document that it has at all times sufficient assets and financial resources to do all of the following: [...]"*

*(6) Maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater at the end of the most recent fiscal year when using generally accepted accounting principles, or for an institution*

*participating in Title IV of the federal Higher Education Act of 1965, meet the composite score requirements of the U.S. Department of Education. For the purposes of this section, current assets does not include: intangible assets, including goodwill, going concern value, organization expense, startup costs, long-term prepayment of deferred charges, and non-returnable deposits, or state or federal grant or loan funds that are not the property of the institution but are held for future disbursement for the benefit of students. Unearned tuition shall be accounted for in accordance with general accepted accounting principles.”*

**On June 27, 2018, the Bureau reviewed the Institution’s financial statements for the year ending May 31, 2018. The Institution’s ratio of -0.66, demonstrates that the Institution fails to maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater.**

**Order of Abatement:**

The Bureau orders the institution to:

1. Submit a detailed plan to address its financial shortfalls and to meet the ratio of current assets to current liabilities of 1.25 to 1.00 or greater at the end of the most recent fiscal year in accordance with 5, CCR 71745(a)(6).
2. In addition, please provide an explanation of all measures to be taken by the Institution to ensure it meets future financial responsibilities.
3. Please provide the Bureau with, in electronic format:
  - a) a roster of all currently enrolled students that includes the student (1) names, (2) addresses, (3) telephone numbers, (4) email addresses, (5) program in which they are enrolled, (6) date of enrollment, (7) total cost of the program and (8) the total amount the student has paid.

On May 19, 2020, the Institution submitted evidence of compliance to the Bureau. The Order of Abatement has been satisfied.

**Assessment of Fine**

The fine for this violation is \$00.00

**TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$900.00**

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 **\$900.00** for the violations described above.

**Payment must be made to the Bureau by June 26, 2020.**

PAYMENT OF ADMINISTRATIVE FINE

**The Institution shall pay the civil penalty in the amount of \$900.00 by way of cashiers’ check or money order. The payment shall be mailed to:**

Cheryl Lardizabal, Discipline Citation Program  
Bureau for Private Postsecondary Education  
1747 N. Market Blvd. Ste. 225  
Sacramento, CA 95834

**The civil penalty must be paid to the Bureau by June 26, 2020. Payment of an administrative citation is not an admission of guilt or liability.**

The Institution gives up the right to an administrative hearing and all other rights accorded by the California Administrative Procedure Act and other applicable laws. The Institution's failure to pay the modified citation civil penalty pursuant to the terms of this settlement will result in this matter being referred to collection and will result in the full original penalty being imposed and due in full. The Bureau for Private Postsecondary Education may file an Amended Modified Citation for the failure of conditions required of the Institution.

CONTACT INFORMATION

If you have any questions regarding this Modified Citation, or desire further information, please contact Cheryl Lardizabal, Citation Analyst, at (916) 574-8968 or [Cheryl.Lardizabal@dca.ca.gov](mailto:Cheryl.Lardizabal@dca.ca.gov).

"Original signature on file"

"5/27/2020"

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

\_\_\_\_\_  
**Date**

Enclosure

- Declaration of Service by Certified and First-Class Mail
- Payment of Fine