



**Bureau for Private Postsecondary Education**  
2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833  
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**CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: Rafael Gonzalez  
Truck Nation School  
6801 McComber Street  
Sacramento, CA 95828

**INSTITUTION CODE: Unapproved**  
**CITATION NUMBER: 1314006**  
**CITATION ISSUANCE/SERVICE DATE: 3/26/2014**  
**DUE DATE: 4/25/2014**  
**FINE AMOUNT: \$ 50,000.00**  
**ORDER OF ABATEMENT INCLUDED: YES**

Alyson Cooney issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Deputy Bureau Chief of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Rafael Gonzalez owner of Truck Nation School located at 6801 McComber Street, Sacramento, CA 95828 pursuant to Business and Professions Code section 148; California Education Code (CEC) §94944; and Title 5 of the California Code of Regulations (5 CCR) §75020 for the violation(s) described below.

VIOLATION

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the code section(s) of law you are charged with violating.
1.	<p><b>Violation:</b> CEC Section 94886 – Approval to Operate Required “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.”</p>

The institution is operating as a private postsecondary educational institution in the state of California without an approval to operate granted by the Bureau. The institution operated as a private postsecondary institution, without an approval to operate granted by the Bureau, in 2011 and 2012 offering educational programs over \$2,500.00, which resulted in student harm. The institution currently offers educational programs under \$2,500.00. However, the institution is not exempt under CEC §94874(f) as the institution advertises that they will accept students who are eligible for tuition assistance from state or federal funding. The institution continues to operate as a private postsecondary institution without an approval to operate granted by the Bureau.

**Order of Abatement:**

The Bureau orders that the institution cease operation as a private postsecondary educational institution at all locations throughout the State of California. Please also discontinue recruiting or enrolling students and cease all instructional services and advertising in any form or type of media (including Internet websites), until such time as approval from the Bureau to operate is obtained. In addition, refund all monies (tuition and fees) to all students that were enrolled at the institution after January 1, 2010, which includes, but is not limited to the following students:

- Joseph Phillips, refund: \$500.00
- James Emery, refund: \$2800.00

The fine for this violation is \$50,000.00

**TOTAL ADMINISTRATIVE FINE DUE: \$50,000.00**

ASSESSMENT OF A FINE

In accordance with CEC section 94944; and 5 CCR section 75020(b), the Bureau hereby orders this assessment of a fine in the amount of **\$50,000** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

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.**

BACKGROUND

On May 14, 2011 the Bureau for Private Postsecondary Education (Bureau) received a complaint regarding Truck Nation (School) not providing a refund to a student that cancelled his enrollment. The school is operating without Bureau approval, in violation of section 94886 of the California Private Postsecondary Education Act of 2009. Since the school does not have an approval to operate, the enrollment agreements entered with students are not enforceable pursuant to California Education Code 94902 (b) (2).



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 **April 25, 2014**, 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 **March 26, 2014**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **April 25, 2014**. 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.

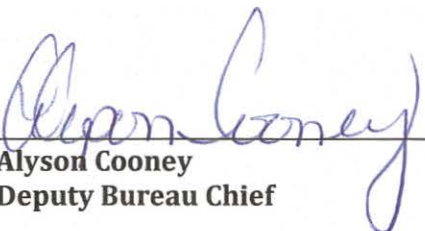
**Payment of the administrative fine and/or written request for appeal must be mailed to:**

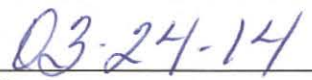
Renee Campos, Discipline Citation Program  
Bureau for Private Postsecondary Education  
2535 Capitol Oaks Drive, Suite 400  
Sacramento, CA 95833

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 Renee Campos, Enforcement Analyst, at (916) 431-6940 or Renee.Campos@dca.ca.gov.

  
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**Alyson Cooney**  
**Deputy Bureau Chief**

  
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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 – Wavier of Appeal
- Declaration of Service by Certified and First Class Mail