



Bureau for Private Postsecondary Education
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834
P.O. Box 980818, West Sacramento, CA 95798-0818
P (916) 574-8900 F (916) 263-1897 www.bppe.ca.gov



APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

February 3, 2022

Design's School of Cosmetology, Inc., Owner
Design's School of Cosmetology
5572 Springdale Avenue
Pleasanton, CA 94588

Date of Issuance	Citation Number	Institution Code/Branch Code
February 3, 2022	2122081	4000671/ 30562330

On January 5, 2022, an informal telephone conference was held in the matter of Citation: Order of Abatement No. 2122081 (Citation) against Design’s School of Cosmetology, Inc., Owner of Design’s School of Cosmetology (Institution). In attendance were Jason Alley, Acting Enforcement Chief and Jason Skinner, Owner and Administrator.

Pursuant to Business and Professions Code, section 125.9; California Education Code, section 94936; and Title 5 of the California Code of Regulations, section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 2122081.

It is the decision of the Acting Enforcement Chief that on January 28, 2022, Citation No. 2122081 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><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 (d)(1)(A)(B) - Fee Schedule <i>(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:</i> <i>(A)An annual fee for each campus designated by the institution as a main campus location in California, in an amount equal to 0.45 percent of the campus’ total gross revenue derived from</i></p>

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).

(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 94930.5 (g)- Fee Schedule

(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.

CEC Section 94931(b)- Late Payment

"(b) A fee that is not paid on or before the 90th calendar day after the due date for payment of the fee shall be subject to a 35 percent late payment penalty fee."

The Institution has failed to pay its annual fee for calendar year 2017, 2018, 2019, 2020, and 2021 for the branch location.

On May 2, 2017, the Institution was notified, Invoice # 900321296, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2017 was due on June 1, 2017.

On July 17, 2017, the Institution was notified, Invoice # 900327135, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2017 was due on June 1, 2017.

On September 15, 2017, the Institution was notified, Invoice # 900327135, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2017 was due on June 1, 2017.

On May 1, 2018, the Institution was notified, Invoice # 900333458, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2018 was due on June 1, 2018.

On July 16, 2018, the Institution was notified, Invoice # 900335468, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2018 was due on June 1, 2018.

On September 17, 2018, the Institution was notified, Invoice # 900335468, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2018 was due on June 1, 2018.

On May 1, 2019, the Institution was notified, Invoice # 900341709, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2019 was due on June 1, 2019.

On July 15, 2019, the Institution was notified, Invoice # 900343680, via mail at, 715 24th Street,

Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2019 was due on June 1, 2019.

On September 16, 2019, the Institution was notified, Invoice # 900343680, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2019 was due on June 1, 2019.

On May 1, 2020, the Institution was notified, Invoice # 900349610, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2020 was due on June 1, 2020.

On July 15, 2020, the Institution was notified, Invoice # 900351670, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2020 was due on June 1, 2020.

On September 15, 2020, the Institution was notified, Invoice # 900351670, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2020 was due on June 1, 2020.

On May 3, 2021, the Institution was notified, Invoice # 900357624, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2021 was due on June 1, 2021.

On July 15, 2021, the Institution was notified, Invoice # 900359429, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2021 was due on June 1, 2021.

On September 15, 2021, the Institution was notified, Invoice # 900359429, via mail at, 715 24th Street, Suite E, Paso Robles, CA 93446, stating that the annual fee for calendar year 2021 was due on June 1, 2021.

As of October 20, 2021, the Bureau has not received the annual fee from the Institution for the branch location.

Order of Abatement:

The Bureau orders the Institution to submit its annual fees for calendar year 2017, 2018, 2019, 2020 and 2021 for the branch location in accordance with 5, CCR section 74006(a)(b) and CEC section 94930.5(d)(g). In addition, the Institution must pay all late payment penalty fees.

Modified Order of Abatement: New substantive facts were presented through the appeal process. The Order of Abatement has been resolved.

Assessment of Fine

The fine for this violation is \$00.00

TOTAL ADMINISTRATIVE FINE DUE: \$00.00

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. 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.

CONTACT INFORMATION

If you have any questions regarding this decision or desire further information, please contact Tessa Barron, Citation Analyst, at (916) 574-7791 or at Tessa.Barron@dca.ca.gov.

“Original signature on file”

“2/3/2022”

Christina Villanueva
Discipline Manager

Date

Enclosures

- Declaration of Service by Certified and First-Class Mail