



**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: Alan Revere, Owner  
Revere Academy Of Jewelry Arts  
760 Market St., Ste. 900  
San Francisco, CA. 94102

**INSTITUTION CODE: 3803441**  
**CITATION NUMBER: 1314007**  
**CITATION ISSUANCE/SERVICE DATE: 5/19/2014**  
**DUE DATE: 6/18/2014**  
**FINE AMOUNT: \$ 2,500.00**  
**ORDER OF ABATEMENT INCLUDED: YES**

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

CITATION

A Citation is hereby issued to Alan Revere, Owner of Revere Academy of Jewelry Arts located at 760 Market St., Ste. 900, San Francisco CA 94102 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.

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> 94920(b) - Mandatory Cancellation, Withdrawal, and Refund Policies <i>An institution that does not participate in the federal student financial aid programs shall do all of the following:</i> <i>(b) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250), if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later.</i></p>

**Violation:**

71750(a) - Withdrawals and Refunds

*(a) Every institution shall make refunds that are no less than the refunds required under the Act and this Division.*

**The institution did not refund 100 percent of the institutional charges paid, not including the application fee of \$50.00 (non-refundable), to S.M., a student who cancelled enrollment from the Jewelry Technician Intensive Program within seven days from the first day of class.**

**The student paid a total of \$8,418.82 in institutional charges to the institution to enroll for the Jewelry Technician Intensive Program. On March 8, 2012 the student enrolled in the program, to be held May 7, 2012 to June 29, 2012. On March 8, 2012 he also paid \$1,000.00 deposit. On April 27, 2012 the student sent an e-mail to cancel enrollment with the institution. On July 12, 2012 the institution refunded the student \$7,368.82. The institution owes the student a remaining total refund of \$1,000.00.**

**Order of Abatement:**

1. The institution shall pay the student, S.M., the remaining total refund due in the amount of \$1,000.00.
2. The institution shall submit to the Bureau proof of payment, of the remaining balance of \$1,000.00 paid to S.M.

**Assessment of Fine :**

The fine for this violation is **\$1,250.00**

2. **Violation:** 94920(e) - Mandatory Cancellation, Withdrawal, and Refund Policies

*An institution that does not participate in the federal student financial aid programs shall do all of the following:*

*(e) The institution shall pay or credit refunds within 45 days of a student's cancellation or withdrawal.*

71750(e) - Withdrawals and Refunds.

*(e) An institution shall refund any credit balance on the student's account within 45 days after the date of the student's completion of, or withdrawal from, the educational program in which the student was enrolled. For purposes of this subdivision and section 94919(d) of the Code, "day" means calendar day.*

**The institution failed to refund student, S.M., the total refund due within 45 days of cancellation. The institution refunded the student \$7,368.82 in 76 days after the student submitted the cancellation. As of date, the institution has not refunded the student the remaining \$1,000.000 due.**

**Order of Abatement:**

1. The institution shall pay the student, S.M., the remaining total refund due in the amount of \$1,000.00.
2. The institution shall submit to the Bureau proof of payment, of the remaining balance of



	\$1,000.00 paid to S.M.
	<b>Assessment of Fine :</b> The fine for this violation is <b>\$1,250.00</b>
<b>TOTAL ADMINISTRATIVE FINE DUE: \$2,500.00</b>	

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 **\$2,500.00** 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 July 11, 2012 the Bureau received a complaint against the institution. During the course of the investigation the above mentioned violations were identified.

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 **June 18, 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 **May 19, 2014**. Payment of the administrative fine and evidence of compliance

with the order(s) of abatement shall be due by **June 18, 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.

Yvette Johnson  
Yvette Johnson  
Enforcement Chief

5/19/14  
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