

**BEFORE THE DIRECTOR
BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**B & H EDUCATION, INC., dba
MARINELLO SCHOOLS OF BEAUTY;
DR. RASHED ELYAS, CEO**

**Approval to Operate Institution Code
Numbers 1904681 (6538 Greenleaf Ave.,
Whittier, CA 90601); 81739886 (663 North
Euclid St., Anaheim, CA 92801); 12682618
(3737 Ming Ave., Bakersfield, CA 93309);
(continued on attached pages)**

Respondent.

Case No. 1001369


ORDER OF DECISION

DECISION

The attached Stipulated Surrender of Approval to Operate is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above entitled matter.

This Decision shall become effective JUN 10 2016

DATED: May 4, 2016


DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

Approval to Operate Institution Code Numbers (continued from caption):

- 1903091 (4210 East Gage Ave., Bell, CA 90201);
- 1902481 (200 North San Fernando Blvd., Burbank, CA 91502);
- 0100341 (2806 Castro Valley Blvd., Castro Valley, CA 94546);
- 51315880 (2848 Castro Valley Blvd., Castro Valley, CA 94546);
- 73116841 (2201 Pillsbury Rd., Ste. #160 and 170, Chico, CA 95926);
- 1904071 (1600 South Azusa Ave., Ste. #244, City of Industry, CA 91748);
- 55199095 (1849 Willow Pass Road, Ste. #400, Concord, CA 94520);
- 62178331 (841 Arnele Ave., El Cajon, CA 92020);
- 72482265 (3117 West Shaw Ave., Ste. #108, Fresno, CA 93711);
- 0100681 (22641 Main St., Hayward, CA 94541);
- 3302021 (2627 West Florida Ave., Ste. #100, Hemet, CA 92545);
- 3001361 (19022 Brookhurst St., Huntington Beach, CA 92646);
- 1906871 (240 South Market St., Inglewood, CA 90301);
- 3001231 (23635 El Toro Rd., Ste. #K, Lake Forest, CA 92630);
- 1905601 (2418 Lomita Blvd., Ste. #B, Lomita, CA 90717);
- 64417848 (2408 Lomita Blvd., Ste. #A, Lomita, CA 90717);
- 1906831 (1837 South La Cienega Blvd., Ste. #A, Los Angeles, CA 90035);
- 33436333 (1801 South La Cienega Blvd., Ste. #301, Los Angeles, CA 90035);
- 1906841 (1241 South Soto St., Ste. #101, Los Angeles, CA 90023);
- 3003171 (24741 Alessandro Blvd., Moreno Valley, CA 92553);
- 46614875 (24757 Alessandro Blvd., Units #1, 2, and 3, Moreno Valley, CA 92553);
- 99542484 (39449 Los Alamos Rd., Murrieta, CA 92563);
- 2800131 (2110 Main St., Napa, CA 94559);
- 3600541 (940 North Mountain Ave., Ontario, CA 91762);
- 19103599 (938 North Mountain Ave., Ontario, CA 91762);
- 88680704 (641 West Palmdale Blvd., Palmdale, CA 93551);
- 1901571 (8527 Alondra Blvd., Ste. #129, Paramount, CA 90723);
- 37954037 (1560 Market St., Redding, CA 96001);
- 1904421 (18442 Sherman Way, Reseda, CA 91335);

3404141 (5522 Garfield Ave., Sacramento, CA 95841);
3600391 (721 West 2nd St., Ste. #E, San Bernardino, CA 92410);
3701281 (7550 Miramar Rd., Ste. #400, San Diego, CA 92126-4217);
3800631 (1035 Market St., San Francisco, CA 94103);
55199051 (854 Fourth St., San Rafael, CA 94901);
4300211 (955 Monroe St., Santa Clara, CA 95050);
17872833 (1260 & 1270 Franklin Mall, Santa Clara, CA 95050);
2700921 (1760 Fremont Blvd., Ste. #F-2, Seaside, CA 93955);
1904411 (1125 East Los Angeles Ave., Simi Valley, CA 93065);
14960741 (445 West Weber Ave., Ste. #223, Stockton, CA 95203);
83940807 (14311 Bear Valley Rd., Ste. #101, Victorville, CA 92392);
75914578 (2355 South Mooney Blvd., Visalia, CA 93277); and
1904671 (166 Plaza Dr., West Covina, CA 91790).

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7

8 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
9 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**
STATE OF CALIFORNIA
10

11 In the Matter of the Accusation Against:

Case No. 1001369

12 **B & H EDUCATION, INC., dba**
13 **MARINELLO SCHOOLS OF BEAUTY;**
14 **DR. RASHED ELYAS, CEO**

STIPULATED SURRENDER OF
APPROVAL TO OPERATE AND
ORDER

15 **Approval to Operate Institution Code**
16 **Numbers 1904681 (6538 Greenleaf Ave.,**
17 **Whittier, CA 90601); 81739886 (663 North**
18 **Euclid St., Anaheim, CA 92801); 12682618**
19 **(3737 Ming Ave., Bakersfield, CA 93309);**
20 **(continued on pages 9-10)**

Respondent.

21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
22 entitled proceedings that the following matters are true:

PARTIES

23 1. Joanne Wenzel (Complainant) is the Chief of the Bureau for Private Postsecondary
24 Education. She brought this action solely in her official capacity and is represented in this matter
25 by Kamala D. Harris, Attorney General of the State of California, by Heather Vo, Deputy
26 Attorney General.

27 2. Respondent is representing itself in this proceeding and has chosen not to exercise its
28 right to be represented by counsel.

1 3. The Bureau granted an approval to operate by means of accreditation to forty-five
2 (45) Marinello Schools of Beauty, including Institution Code Numbers 1904681, 81739886,
3 12682618, 1903091, 1902481, 0100341, 51315880, 73116841, 1904071, 55199095, 62178331,
4 72482265, 0100681, 3302021, 3001361, 1906871, 3001231, 1905601, 64417848, 1906831,
5 33436333, 1906841, 3003171, 46614875, 99542484, 2800131, 3600541, 19103599, 88680704,
6 1901571, 37954037, 1904421, 3404141, 3600391, 3701281, 3800631, 55199051, 4300211,
7 17872833, 2700921, 1904411, 14960741, 83940807, 75914578, and 1904671. Obtaining
8 approval by means of accreditation requires that the institutions' owner have accreditation
9 through an accrediting agency recognized by the United States Department of Education
10 (USDOE). The listed Marinello Schools of Beauty are owned by B&H Education, Inc. (B&H), a
11 California Corporation. B&H is directed and managed by its CEO, Dr. Rashed Elyas. Unless
12 otherwise stated, the Marinello Schools of Beauty listed in the caption, B&H, and Dr. Rashed
13 Elyas are referenced in this Accusation collectively as "Respondent."

14 4. The Bureau for Private Postsecondary Education issued the Approval to Operate
15 Institution Code Numbers on the following dates. Unless stated otherwise, each Approval to
16 Operate Institution Code Number was in full force and effect at all times relevant to the charges
17 brought in Accusation No. 1001369 and will expire on April 10, 2019, unless renewed.

18 Approval to Operate Institution Code Numbers and Dates of Issuance

19 1904681 (6538 Greenleaf Ave., Whittier, CA 90601), issued on April 10, 2014;
20 81739886 (663 North Euclid St., Anaheim, CA 92801), issued on April 10, 2014;
21 12682618 (3737 Ming Ave., Bakersfield, CA 93309), issued on April 10, 2014;
22 1903091 (4210 East Gage Ave., Bell, CA 90201), issued on April 10, 2014;
23 1902481 (200 N. San Fernando Blvd., Burbank, CA 91502) issued on September 23, 2004;
24 0100341 (2806 Castro Valley Blvd., Castro Valley, CA 94546), issued on July 1, 1997;
25 51315880 (2848 Castro Valley Blvd., Castro Valley, CA 94546), issued on March 30, 2011;
26 73116841 (2201 Pillsbury Rd., Ste. #160 &170, Chico, CA 95926), issued on May 2, 2005;
27 1904071 (1600 S. Azusa Ave., Ste. #244, City of Industry, CA 91748), issued on September 23,
28 2004;

1 55199095 (1849 Willow Pass Rd, Ste. #400, Concord, CA 94520), issued on October 11, 2006;
2 62178331 (841 Arnele Ave., El Cajon, CA 92020), issued on April 7, 2010;
3 72482265 (3117 West Shaw Ave., Ste. #108, Fresno, CA 93711), issued on October 18, 2011;
4 0100681 (22641 Main St., Hayward, CA 94541), issued on May 23, 2005;
5 3302021 (2627 West Florida Ave., Ste. #100, Hemet, CA 92545), issued on July 19, 2005;
6 3001361 (19022 Brookhurst St., Huntington Beach, CA 92646), issued on January 12, 2006;
7 1906871 (240 South Market St., Inglewood, CA 90301), issued on June 1, 1981;
8 3001231 (23635 El Toro Rd., Ste. #K, Lake Forest, CA 92630), issued on September 23, 2004;
9 1905601 (2418 Lomita Blvd., Ste. #B, Lomita, CA 90717), issued on May 16, 2005;
10 64417848 (2408 Lomita Blvd., Ste. #A, Lomita, CA 90717), issued on March 30, 2011;
11 1906831 (1837 S. La Cienega Blvd., Ste. #A, Los Angeles, CA 90035), issued on November 1,
12 1997;
13 33436333 (1801 S. La Cienega Blvd., Ste. #301, Los Angeles, CA 90035), issued on March 30,
14 2011;
15 1906841 (1241 South Soto St., Ste. #101, Los Angeles, CA 90023), issued on June 1, 1997;
16 3003171 (24741 Alessandro Blvd., Moreno Valley, CA 92553), issued on September 23, 2004;
17 46614875 (24757 Alessandro Blvd., Units #1, 2, and 3, Moreno Valley, CA 92553), issued on
18 March 30, 2011;
19 99542484 (39449 Los Alamos Rd., Murrieta, CA 92563), issued on April 11, 2011;
20 2800131 (2110 Main St., Napa, CA 94559), issued on August 11, 2014;
21 3600541 (940 North Mountain Ave., Ontario, CA 91762), issued on October 1, 1997;
22 19103599 (938 North Mountain Ave., Ontario, CA 91762), issued on March 30, 2011;
23 88680704 (641 West Palmdale Blvd., Palmdale, CA 93551), issued on April 8, 2010;
24 1901571 (8527 Alondra Blvd., Ste. #129, Paramount, CA 90723), issued on August 24, 2010;
25 37954037 (1560 Market St., Redding, CA 96001), issued on October 31, 2006;
26 1904421 (18442 Sherman Way, Reseda, CA 91335), issued on October 1, 1997;
27 3404141 (5522 Garfield Ave., Sacramento, CA 95841), issued on July 13, 2004;
28 3600391 (721 West 2nd St., Ste. #E, San Bernardino, CA 92410), issued on June 1, 1997;

1 3701281 (7550 Miramar Rd., Ste. #400, San Diego, CA 92126-4217), issued on June 30, 1997;
2 3800631 (1035 Market St., San Francisco, CA 94103), issued on November 22, 2004;
3 55199051 (854 Fourth St., San Rafael, CA 94901), issued on November 2, 2004;
4 4300211 (955 Monroe St., Santa Clara, CA 95050), issued on February 22, 1998;
5 17872833 (1260 & 1270 Franklin Mall, Santa Clara, CA 95050), issued on March 30, 2011;
6 2700921 (1760 Fremont Blvd., Ste. #F-2, Seaside, CA 93955), issued on August 7, 2003;
7 1904411 (1125 East Los Angeles Ave., Simi Valley, CA 93065), issued on June 30, 1997;
8 14960741 (445 West Weber Ave., Ste. #223, Stockton, CA 95203), issued on July 13, 2004;
9 83940807 (14311 Bear Valley Rd., Ste. #101, Victorville, CA 92392), issued on April 11, 2011;
10 75914578 (2355 South Mooney Blvd., Visalia, CA 93277), issued on February 28, 2012; and
11 1904671 (166 Plaza Dr., West Covina, CA 91790), issued on October 1, 1997.

12 **JURISDICTION**

13 5. Accusation No. 1001369 was filed before the Director of the Department of
14 Consumer Affairs (Director), for the Bureau for Private Postsecondary Education (Bureau), and is
15 currently pending against Respondent. The Accusation and all other statutorily required
16 documents were properly served on Respondent on February 5, 2016. A copy of Accusation No.
17 1001369 is attached as Exhibit A and incorporated by reference.

18 **ADVISEMENT AND WAIVERS**

19 6. Respondent has carefully read, and understands the charges and allegations in
20 Accusation No. 1001369. Respondent also has carefully read, and understands the effects of this
21 Stipulated Surrender of Approval to Operate and Order.

22 7. Respondent is fully aware of its legal rights in this matter, including the right to a
23 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
24 its own expense; the right to confront and cross-examine the witnesses against it; the right to
25 present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel
26 the attendance of witnesses and the production of documents; the right to reconsideration and
27 court review of an adverse decision; and all other rights accorded by the California
28 Administrative Procedure Act and other applicable laws.

1 Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as
2 the originals.

3 13. This Stipulated Surrender of Approval to Operate and Order is intended by the parties
4 to be an integrated writing representing the complete, final, and exclusive embodiment of their
5 agreement. It supersedes any and all prior or contemporaneous agreements, understandings,
6 discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of
7 Approval to Operate and Order may not be altered, amended, modified, supplemented, or
8 otherwise changed except by a writing executed by an authorized representative of each of the
9 parties.

10 14. In consideration of the foregoing admissions and stipulations, the parties agree that
11 the Director may, without further notice or formal proceeding, issue and enter the following
12 Order:

13 **ORDER**

14 IT IS HEREBY ORDERED that Approval to Operate Marinello Schools of Beauty,
15 Institution Code Numbers 1904681, 81739886, 12682618, 1903091, 1902481, 0100341,
16 51315880, 73116841, 1904071, 55199095, 62178331, 72482265, 0100681, 3302021, 3001361,
17 1906871, 3001231, 1905601, 64417848, 1906831, 33436333, 1906841, 3003171, 46614875,
18 99542484, 2800131, 3600541, 19103599, 88680704, 1901571, 37954037, 1904421, 3404141,
19 3600391, 3701281, 3800631, 55199051, 4300211, 17872833, 2700921, 1904411, 14960741,
20 83940807, 75914578, and 1904671, issued to Respondent B & H Education, Inc., dba Marinello
21 Schools of Beauty; Dr. Rashed Elyas, CEO, is surrendered and accepted by the Director of the
22 Department of Consumer Affairs.

23 1. The surrender of Respondent's Approvals to Operate and the acceptance of the
24 surrendered approval by the Bureau shall constitute the imposition of discipline against
25 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
26 Respondent's license history with the Bureau for Private Postsecondary Education and
27 subsequent private postsecondary approving authorities.

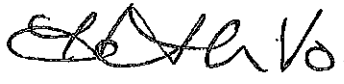
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ENDORSEMENT

The foregoing Stipulated Surrender of Approval to Operate and Order is hereby respectfully submitted for consideration by the Director of the Department of Consumer Affairs.

Dated: *March 14, 2016*

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
THOMAS L. RINALDI
Supervising Deputy Attorney General



HEATHER VO
Deputy Attorney General
Attorneys for Complainant

- 1 **Approval to Operate Institution Code Numbers (continued from caption):**
- 2 1903091 (4210 East Gage Ave., Bell, CA 90201);
- 3 1902481 (200 North San Fernando Blvd., Burbank, CA 91502);
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- 18 1906831 (1837 South La Cienega Blvd., Ste. #A, Los Angeles, CA 90035);
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