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

In the Matter of the Accusation Against:
**HANS ACADEMY OF MASSAGE;
SUN YO HAN, Owner
1930 Wilshire Blvd., Suite 302
Los Angeles, CA 90057**
**Approval to Operate Institutional Programs
Certificate Code 1936441**
Respondent.

Case No. 998896

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about March 11, 2015, Complainant Joanne Wenzel, in her official capacity as the Deputy Bureau Chief of the Bureau for Private Postsecondary Education, Department of Consumer Affairs, filed Accusation No. 998896 against Hans Academy of Massage; Sun Yo Han (Respondent) before the Director of Consumer Affairs. (Accusation attached as Exhibit A.)

2. On or about April 16, 2012, the Bureau for Private Postsecondary Education (Bureau) issued Approval to Operate Institutional Programs Certificate Code 1936441 to Respondent. The Approval to Operate Institutional Programs Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 998896 and will expire on April 16, 2017, unless renewed.

1 3. On or about March 19, 2015, Respondent was served by Certified and First Class
2 Mail copies of the Accusation No. 998896, Statement to Respondent, Notice of Defense, Request
3 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
4 11507.7) at Respondent's address of record which is required to be reported and maintained with
5 the Bureau. Respondent's address of record was and is:

6 1930 Wilshire Blvd., Suite 302
7 Los Angeles, CA 90057.

8 4. Service of the Accusation was effective as a matter of law under the provisions of
9 Government Code section 11505, subdivision (c) and/or Business & Professions Code
10 section 124.

11 5. On or about April 1, 2015, the aforementioned documents were returned by the U.S.
12 Postal Service marked ""Return to Sender, Attempted - Not Known, Unable to Forward, Return
13 to Sender."

14 6. Government Code section 11506 states, in pertinent part:

15 (c) The respondent shall be entitled to a hearing on the merits if the respondent
16 files a notice of defense, and the notice shall be deemed a specific denial of all parts
17 of the accusation not expressly admitted. Failure to file a notice of defense shall
18 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
19 may nevertheless grant a hearing.

20 7. Respondent failed to file a Notice of Defense within 15 days after service upon him
21 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation
22 No. 998896.

23 8. California Government Code section 11520 states, in pertinent part:

24 (a) If the respondent either fails to file a notice of defense or to appear at the
25 hearing, the agency may take action based upon the respondent's express admissions
26 or upon other evidence and affidavits may be used as evidence without any notice to
27 respondent.

28 9. Pursuant to its authority under Government Code section 11520, the Director finds
Respondent is in default. The Director will take action without further hearing and, based on the
relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
taking official notice of all the investigatory reports, exhibits and statements contained therein on

1 file at the Director's offices regarding the allegations contained in Accusation No. 998896, finds
2 that the charges and allegations in Accusation No. 998896, are separately and severally, found to
3 be true and correct by clear and convincing evidence.

4 10. Taking official notice of its own internal records, it is hereby determined that the
5 reasonable costs for Investigation and Enforcement is \$12,406.51 as of April 22, 2015.

6 DETERMINATION OF ISSUES

7 1. Based on the foregoing findings of fact, Respondent Hans Academy of Massage; Sun
8 Yo Han has subjected her Approval to Operate Institutional Programs Certificate Code 1936441
9 to discipline.

10 2. The agency has jurisdiction to adjudicate this case by default.

11 3. The Director of Consumer Affairs is authorized to revoke Respondent's Approval to
12 Operate Institutional Programs Certificate based upon the following violations alleged in the
13 Accusation which are supported by the evidence contained in the Default Decision Evidence
14 Packet in this case:

15 a. Education Code sections 94893 and 94894, Change of Ownership without Approval.

16 b. Education Code section 94897(j)(3)(k), False Documents.

17 c. Education Code sections 94897, and 94937(a)(1)(b), in conjunction with California
18 Code of Regulations, title 5, section 71640(a), False Information on Application.

19 d. Education Code sections 94926(a)(b), 94927 and 94927.5, in conjunction with
20 California Code of Regulations, title 5, section 71745(a), Failure to Notify Bureau of Closure.

21 e. Education code sections 94929(a) and 94929.5, Failure to Submit Annual Report.

22 f. Education Code sections 94926(b), 94927 and 94937(a)(2)(b), in conjunction with
23 California Code of Regulations, title 5, sections 75100, 71710, 71715, 71745(a)(1)(3)(4), Failure
24 to Provide Courses and Refund Fees.

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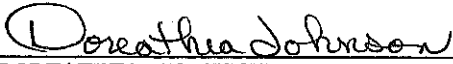
1 ORDER

2 IT IS SO ORDERED that Approval to Operate Institutional Programs Certificate Code
3 1936441, heretofore issued to Respondent Hans Academy of Massage; Sun Yo Han, is revoked.

4 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a
5 written motion requesting that the Decision be vacated and stating the grounds relied on within
6 seven (7) days after service of the Decision on Respondent. The agency in its discretion may
7 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

8 This Decision shall become effective on JUN 19 2015.

9 It is so ORDERED JUN 19 2015

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12 
13 DOREATHEA JOHNSON
14 Deputy Director, Legal Affairs
15 Department of Consumer Affairs

16 51747985.DOC
DOJ Matter ID:LA2014512402

17 Attachment:
18 Exhibit A: Accusation
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