

Bureau for Private Postsecondary Education 1747 N. Market Blvd. Ste 225 Sacramento, CA 95834 P.O. Box 980818, West Sacramento, CA 95798-0818

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

March 4, 2021

Recording Radio Film Connection, Inc., Owner Recording, Radio, Film Connection & CASA Schools 6300 Wilshire Boulevard, Suite 400 Los Angeles, CA 90048

Date of Issuance	Citation Number	Institution Code
March 4, 2021	2021171	47807289

On February 4, 2021, an informal telephone conference was held in the matter of Citation: Order of Abatement No. 2021171 (Citation) against Recording Radio Film Connection, Inc., Owner of Recording, Radio, Film Connection & CASA Schools (Institution). In attendance were Beth Scott, Enforcement Chief, Michael Kanotz, Department of Consumer Affairs Legal Counsel, Stacie Rodriguez, Institutional Direction, Joyce Mullen, Director of Compliance, and Edward Cramp, Attorney for the Institution.

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. 2021171.

It is the decision of the Enforcement Chief that on February 16, 2021, Citation No. 2021171 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. MODIFIED

Violation:

5, CCR Section 74006(a) and (b) - Annual Fee

"(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."

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(a) (b)- Late Payment

- "(a) A fee that is not paid on or before the 30th calendar day after the due date for payment of the fee shall be subject to a 25 percent late payment penalty fee."
- "(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."

2017 Late Payment Penalty Fee

The Institution has failed to pay its 30-day late payment penalty fee for calendar year 2017.

On July 10, 2017, the Institution was notified, Invoice # 900327012, via mail at mail 1201 W. 5th Street, Suite M130, Los Angeles, CA 90017, stating that the annual fee for calendar year 2017 was due on August 1, 2017.

On September 15, 2017, the 1st Delinquency Notice (Invoice 900327902) was sent via mail 1201 W. 5th Street, Suite M130, Los Angeles, CA 90017, stating that the annual fee for calendar year 2017 was due on August 1, 2017.

On October 23, 2017, the Bureau received payment for the 2017 annual fee in the amount of \$7,253.16 for the annual fee. However, the late payment penalty was not included in the submission.

On October 27, 2017, the Institution was notified via mail at 1201 W. 5th Street, Suite M130, Los Angeles, CA 90017, that a remaining balance in the amount of \$1,813.29 was due the 30-day late payment penalty fee.

As of January 7, 2021, the Bureau has not received the late payment penalty from the Institution.

2020 Annual Fee and Late Payment Penalty Fee

The Institution has failed to pay its annual fee and late payment penalty fee for calendar year 2020.

On May 1, 2020, the Institution was notified, Invoice # 900349636, via mail at 6300 Wilshire Boulevard, Suite 400, Los Angeles, CA 90048, stating that the annual fee for calendar year 2020 was due on June 1, 2020.

On July 15, 2020, the 1st Delinquency Notice (Invoice # 900351679) was sent via mail at 6300 Wilshire Boulevard, Suite 400, Los Angeles, CA 90048, stating that the annual fee for calendar year 2020 was due on June 1, 2020.

On September 15, 2020, the 2nd Delinquency Notice (Invoice # 900351679) was sent via mail at 6300 Wilshire Boulevard, Suite 400, Los Angeles, CA 90048, stating that the annual fee for calendar year 2020 was due on June 1, 2020.

As of January 7, 2021, the Bureau has not received the annual fee nor the late payment penalty from the Institution.

Order of Abatement:

The Bureau orders the Institution to submit its annual fees for calendar year 2020 in accordance

with 5, CCR section 74006(a)(b) and CEC section 94930.5(g). In addition, the Institution must pay all late payment penalty fees.

Modified Order of Abatement: The Bureau orders the Institution to submit its late payment penalty fee for calendar year 2017 in accordance with 5, CCR section 74006(a)(b) and CEC section 94931(a).

<u>Reason for modification:</u> New substantive facts were presented at the conference. In addition, on February 16, 2021, the Bureau received the 2020 Annual Fee.

Assessment of Fine

The fine for this violation is \$00.00

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$00.00

ORDER OF ABATEMENT

The Bureau orders that you comply with the orders described in the 'Violation Code Sections' of this document and submit evidence of compliance within <u>30 days</u> from the date of this decision.

APPEAL OF CITATION

You *do*, however, have the right to appeal this affirmed or modified Citation. You *do*, however, have the right to appeal this affirmed or modified Citation through an Administrative Hearing. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you do not wish to appeal this modified Citation you must withdraw your initial request for an Administrative Hearing, if one was made. Please complete and mail the enclosed <u>Withdrawal – Request for Administrative Hearing</u> within <u>30 Days</u> of the date of this decision.

EFFECTIVE DATE OF CITATION

This modified Citation is effective on March 4, 2021. The Order of Abatement is due by **April 3, 2021**.

Failure to abate the violation within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Modified 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 decision or desire further information, please contact Nicole Mitchell, Citation Analyst, at Nicole.Mitchell@dca.ca.gov.

"Original signature on file"	"3/4/2021"
Christina Villanueva Discipline Manager	Date

Enclosures

- ➤ Withdrawal- Request for Administrative Hearing
- > Declaration of Service by Certified and First-Class Mail