

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

In the Matter of the Statement of Issues
Against:

INSTITUTE OF BEAUTY CULTURE,
OMAR AVILES (50% OWNER)
SUSAN AVILES (50% OWNER)

Applicant for Renewal of Approval to Operate
and Offer Educational Programs For a Non-
Accredited Institution

Respondent.

Case No. 100957

OAH No. 2016060401

**DECISION AFTER RECONSIDERATION ADOPTING
STIPULATED SETTLEMENT**

On August 18, 2017, the Director of the Department, via his designee, issued a Decision After Rejection of Proposed Decision (Decision After Rejection) in this matter to become effective September 22, 2017, denying the appeal of respondents Omar and Susan Aviles, owners of Institute of Beauty Culture, on the denial of their application for renewal of the approval to operate. The Decision After Rejection ordered respondents to cease operating the institution within 30 days of service of the Decision, or by the set effective date of the Decision, whichever was sooner, and to not resume operation in California unless and until they were approved to do so by the Bureau for Private Postsecondary Education (Bureau), Department of Consumer Affairs.

Prior to the effective date of the Decision After Rejection, on September 1, 2017, complainant Joanne Wenzel, Chief of the Bureau, represented by Cristina Felix, Deputy Attorney General, filed a Petition for Reconsideration. Respondents had provided documentation to demonstrate compliance with all current Bureau laws and regulations, and complainant asserted that respondents were eligible for issuance of a full approval of the renewal to operate as a non-accredited institution.


On September 8, 2017, the Petition for Reconsideration was granted and the effective date of the Decision After Rejection was stayed. The Director requested argument on reconsideration or an agreed upon statement of the parties.

Pursuant to section 11521 of the Government Code, in lieu of additional evidence, the parties submitted as evidence a stipulated settlement for consideration by the Director to be entered as the decision in this matter.

Having reviewed the matter, the attached Stipulated Settlement and Order is accepted and adopted by the Director of the Department of Consumer Affairs as his Decision in this matter.

This Decision shall become effective on JAN 11 2018

IT IS SO ORDERED this 8 day of December, 2017.



RYAN MARCROFT
Deputy Director
Legal Affairs Division
Department of Consumer Affairs