



**CITATION: ORDER OF ABATEMENT**

To: Appear Media, Inc., Owner  
Brentwood University  
15615 Alton Parkway #450  
Irvine, CA 92618

**INSTITUTION CODE: 42693395**  
**CITATION NUMBER: 1920102**  
**CITATION ISSUANCE/SERVICE DATE: October 3, 2019**  
**DUE DATE: November 2, 2019**  
**FINE AMOUNT: \$ 00.00**  
**ORDER OF ABATEMENT INCLUDED: YES**

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Discipline Manager of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Appear Media, Inc., Owner of Brentwood University (Institution) located at 15615 Alton Parkway, #450, Irvine, CA 92618, 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.

BACKGROUND

All institutions are required to pay annual fee 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. An institution shall pay its annual fee in addition to any other applicable fees.

Pursuant to 5, CCR section 74006(a) and (b) and CEC section 94930.5 (d)(1)(A). An Institution shall submit to the Bureau an annual fee for each campus designated by the Institution as a main campus location in California, in an amount equal to 0.45 percent of the 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).

Additionally, effective July 1, 2018, pursuant to 5, CCR section 74006(a) and (b) and CEC section 94930.5(g). An Institution shall submit to the Bureau an annual fee for each campus designed by the Institution as a main campus location in California, in an amount equal to 0.55 percent of the 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).

As of October 3, 2019, the Bureau has not received the annual fee for the 2017 and 2018 calendar years from the Institution.

VIOLATION

#	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.	<p><b><u>Violation:</u></b> <b>5, CCR Section 74006(a) and (b) - Annual Fee</b> <i>(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.</i></p> <p><b>CEC Section 94930.5 (d)(1)(A) - Fee Schedule</b> <i>(d) (1) In addition to any fees paid to the bureau pursuant to subdivisions (a) to (c), inclusive, each institution that is approved to operate pursuant to this chapter shall remit both of the following: (A) An annual fee for each campus designated by the institution as a main campus location in California, in an amount equal to 0.45 percent of the 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).</i></p> <p><b>CEC Section 94930.5 (g) - Fee Schedule</b> <i>(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.</i></p> <p><b>CEC Section 94931 (b) - Late Payment</b> <i>(b) A fee that is not paid on or before the 90<sup>th</sup> calendar day after the due date for payment of the fee shall be subject to a 35 percent late payment penalty fee.</i></p> <p><b>The Institution has failed to pay its annual fee for calendar years 2017 and 2018.</b></p> <p><b>2017 Annual Fee</b> On July 3, 2017, the Institution was notified (Invoice # 900326995) via mail at, 15615 Alton Parkway #450, Irvine, CA 92618, stating that the annual fee for calendar year 2017 was due on August 1, 2017.</p> <p>On September 15, 2017, the 1<sup>st</sup> delinquency notice (Invoice # 900327923) was sent via mail at, 15615 Alton Parkway #450, Irvine, CA 92618, stating that the annual fee for calendar year 2017 was due on August 1, 2017. As of May 8, 2019, the Bureau has not received the annual fee from the Institution.</p> <p>On November 15, 2017, the 2<sup>nd</sup> delinquency notice (Invoice # 900327923) was sent via mail at, 15615 Alton Parkway #450, Irvine, CA 92618, stating that the annual fee for calendar year 2017 was due on August 1, 2017. As of October 3, 2019, the Bureau has not received the annual fee from the Institution.</p> <p><b>2018 Annual Fee</b> On July 12, 2018, the Bureau received a check in the amount of \$284.87 for the 2018 Annual Fee.</p>

On July 17, 2018, the Institution was notified (Invoice # 900335504) via mail at 15615 Alton Parkway #450, Irvine, CA 92618, stating that the annual fee for calendar year 2018 was still outstanding and due on August 1, 2018. The minimum amount owed was \$2,500.00 as effective January 1, 2017, institutions pay based on the annual gross revenue for the main location, multiplied by \$.0045 with a maximum of \$60,000.00 and a minimum of \$2,500.00 per main and branch location.

On September 17, 2018, the 1<sup>st</sup> delinquency notice (Invoice # 900336132) was sent via mail at, 15615 Alton Parkway #450, Irvine, CA 92618, stating that the annual fee for calendar year 2018 was due on August 1, 2018.

On November 15, 2018, the 2<sup>nd</sup> delinquency notice (Invoice # 900336132) was sent via mail at, 15615 Alton Parkway #450, Irvine, CA 92618, stating that the annual fee for calendar year 2018 was due on August 1, 2018. As of October 3, 2019, the Bureau has not received the remaining outstanding balance for the annual fee from the Institution.

**Order of Abatement:**

The Bureau orders the Institution to submit its annual fees for calendar years 2017 and remaining annual fee balance for 2018, in accordance with 5, CCR Section 74006(a)(b), CEC Section 94930.5(d)(1)(A), (g), and CEC Section 94931 (b). In addition, the Institution must pay all late payment penalty fees.

**Assessment of Fine**

The fine for this violation is \$00.00

**TOTAL ADMINISTRATIVE FINE DUE: \$00.00**

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 **\$00.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

COMPLIANCE WITH 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 of abatement must be submitted, to the Bureau, within 30 days from the date of service of the Citation.**

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 **November 2, 2019**, 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 **October 3, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **November 2, 2019**. 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:**

Cheryl Lardizabal, 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 Cheryl Lardizabal, Citation Analyst, at (916) 621-2591 or Cheryl.Lardizabal@dca.ca.gov.

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**Christina Villanueva**  
**Discipline Manager**

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**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 – Waiver of Appeal
- Declaration of Service by Certified and First-Class Mail