



## AFFIRMED CITATION ORDER

<b>Citation Issued To:</b> D'Lacreme School of Cosmetology and Barbering 1787 North Texas Street Fairfield, CA 94533  <b>Institution Code:</b> 18431276	<b>Citation Number:</b> 2324177
	<b>Total Fine Amount:</b> <b>\$5,002.00</b>
	<b>Order of Abatement Included:</b> Yes

Elizabeth Elias issues this affirmed citation in her official capacity as Deputy Bureau Chief of Enforcement at the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

### LICENSING HISTORY

- On or about September 20, 2012, the Bureau granted a Full Approval to Operate a Private Postsecondary Institution to D'Lacreme School of Cosmetology and Barbering (hereinafter referred to as the "Institution"). From August 16, 2017, to May 31, 2021, the Bureau granted an Accredited Institution Approval to Operate to the Institution. Subsequently, on or about November 4, 2021, the Bureau granted a new Full Approval to Operate a Private Postsecondary Institution to the Institution. This Approval to Operate will expire on or about November 4, 2026, unless renewed.

### DISCIPLINE HISTORY

- The Institution has the following discipline history:
  - [Modified Citation No. 1415061 issued, July 16, 2015](#)
    - Evidence of compliance; citation satisfied August 6, 2015
  - [Citation No. 1415061 issued, December 17, 2015](#)
    - Evidence of compliance; citation satisfied March 1, 2016

### CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to the statutory provisions of California Education Code (CEC) section 94936;

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and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

### CITATION HISTORY

4. On or about March 28, 2024, the Bureau issued Citation No. 18431726. On or about April 19, 2024, the Bureau received an appeal with a request for an informal conference. The informal conference was held on May 22, 2024. No new substantive facts were presented during the informal conference; therefore, the Bureau affirms Citation No. 2324177.

### CAUSE FOR CITATION & ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT

5. The Institution is in violation of the following Bureau laws and regulations:

<b>Violation #1:</b>
<b>CEC Section 94906 – Language Enrollment Agreement</b>
<b>Cause for Citation:</b> On or about July 14, 2022, the Bureau received a complaint alleging, in part, that the Institution failed to provide an enrollment agreement in Spanish upon enrollment. Evidence collected during the investigation determined that the recruitment leading up to enrollment was conducted in Spanish and English and when the student requested the enrollment agreement in Spanish, the request was denied. Therefore, the Institution failed to comply with CEC section 94906. A student shall have the right to obtain a clear explanation of the terms and conditions and all cancellation and refund policies in his or her primary language, and receive the enrollment agreement, disclosures, and statements in the language the recruitment was conducted in.
<b>Administrative Fine:</b> Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class A” violation. The Institution is issued a fine of \$2,501.00.
<b>Order of Abatement:</b> Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:  The Bureau orders the Institution to submit a written policy, or procedure, of how the Institution will maintain future compliance with CEC Section 94906.

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**Violation #2:**

**CCR Section 71770 (a) – Admission Standards and Transferred Credits Policy**

**Cause for Citation:** On or about July 14, 2022, the Bureau received a complaint. Evidence collected during the investigation determined that the Institution admitted a student to an English language Cosmetology program, despite indications of minimal English proficiency. The Institution failed to obtain documentation (i.e., high school diploma or its equivalent, or otherwise meet the institution's criteria for a qualified candidate for admission, including minimum levels of prior education, preparation, skills, or training) indicating the student was sufficiently proficient in English and had a reasonable prospect of completing the program.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class A" violation. The Institution is issued a fine of \$2501.00.

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to submit a written policy, or procedure, of how future compliance with 5, CCR sections 71770.

**COMPLIANCE WITH ORDER OF ABATEMENT**

6. In accordance with the provisions of CEC section 94936 and 5 CCR sections 75020 and 75040, the Bureau 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 issuance of this affirmed citation. Evidence of compliance with the order of abatement may sent by mail or email to:

- Mail: Bureau for Private Postsecondary Education  
Attn: Discipline Unit – Giovanni Alon  
1747 North Market, Blvd., Suite 225  
Sacramento, CA 95834
- Email: [bppe.discipline@dca.ca.gov](mailto:bppe.discipline@dca.ca.gov)
  - In the subject line, please include the Institution name and citation number.

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### **COMPLIANCE WITH ASSESSMENT OF FINE**

7. In accordance with the provisions of CEC section 94936, and 5 CCR section 75020 et seq., the Bureau hereby orders this assessment of fines in the total amount of \$5,002.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of issuance of this affirmed citation. To assist the Bureau in processing the payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education  
Attn: Discipline Unit – Giovanni Alon  
1747 North Market, Blvd., Suite 225  
Sacramento, CA 95834

### **NOTICE OF APPEAL RIGHTS**

8. Pursuant to 5 CCR section 75040(d), the affirmed decision is considered final, unless a request for a hearing was filed timely.

If the Institution requested a hearing and no longer chooses to proceed with the hearing, the Institution may request to withdraw the request for a hearing. If the Institution has not requested to withdraw the hearing, a hearing will be set to hear the matter.

### **COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE**

9. Pursuant to 5 CCR section 75050, payment of fine and/or compliance with any order of abatement does not constitute an admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR section 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine. The Bureau may also enforce the

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administrative fine as if it were a money judgment pursuant to CEC section 94936.

### **BUREAU CONTACT INFORMATION**

10. If you have any questions regarding this Citation, please contact Giovani Alon, Citation Analyst by email at [Giovani.Alon@dca.ca.gov](mailto:Giovani.Alon@dca.ca.gov) or by phone at (916) 574-7703.

“Original Signature on File”

5/30/2024

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Elizabeth Elias  
Deputy Bureau Chief of Enforcement

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Citation Date of Issuance

Enclosures:

- Payment of Fine
- Withdrawal of Request for Administration Hearing
- Declaration of Service by Certified and First-Class Mail