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8	E-mail: Dionne.Mochon@doj.ca.gov Attorneys for Complainant				
9	BEFORE THE				
10	DEPARTMENT OF CONSUMER AFFAIRS FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION				
11	STATE OF CALIFORNIA				
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13	In the Matter of the Accusation Against:	Case No. BPPE24-0702			
14	THE DEVMASTERS	A COUGATION			
15	2400 Barranca Pkway, Suite 2319 Irvine, CA 92606	ACCUSATION			
16	Approval to Operate Institution Code No. 80057977				
17	Respondent.				
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20	PAR				
21	1. Deborah Cochrane (Complainant) brings this Accusation solely in her official				
22	capacity as the Chief of the Bureau for Private Postsecondary Education (Bureau), Department of				
23	Consumer Affairs.				
24	2. On or about December 14, 2022, the Bureau issued an Approval to Operate,				
25	Institution Code Number 80057977, to The DevMasters (Respondent). Respondent is owned by				
26	The Devmasters, Inc. The Approval to Operate was in full force and effect at all times relevant				
27	herein and will expire December 14, 2027, unless renewed.				
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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). (B) An annual campus fee for each branch of the institution in an amount equal to 0.45 percent of the branch's 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). (2) The amount of the annual fees pursuant to paragraph (1) shall be proportional to the bureau's cost of regulating institutions under this chapter, but shall not exceed seven hundred fifty thousand dollars (\$750,000) for any institution.

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9. Code Section 94931 states:

- (a) A fee that is not paid on or before the 30th calendar day after the due date for the payment of the fee shall be subject to a 25 percent late payment penalty fee. California Private Postsecondary Education Act of 2009 77
- (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.

10. Code Section 94934 states:

- (a) As part of the compliance program, an institution shall submit an annual report to the bureau, under penalty of perjury, signed by a responsible corporate officer, by July 1 of each year, or another date designated by the bureau, and it shall include the following information for educational programs offered in the reporting period:
 - (1) The total number of students enrolled by level of degree or for a diploma.
 - (2) The number of degrees, by level, and diplomas awarded.
 - (3) The degree levels and diplomas offered.
 - (4) The Student Performance Fact Sheet, as required pursuant to Section 94910.
 - (5) The school catalog, as required pursuant to Section 94909.
 - (6) The total charges for each educational program by period of attendance.
- (7) A statement indicating whether the institution is, or is not, current in remitting Student Tuition Recovery Fund assessments.
- (8) A statement indicating whether an accrediting agency has taken any final disciplinary action against the institution.
- (9) Additional information deemed by the bureau to be reasonably required to ascertain compliance with this chapter.
- (b) The bureau, by January 1, 2011, shall prescribe the annual report's format and method of delivery.

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1	(d) All administrative fines shall be deposited in the Private Postsecondary Education Administration Fund.			
2	REGULATORY PROVISIONS			
3	12. California Code of Regulations, title 5, section 74000 subdivision (e)(1) states that			
4	"[i]f an institution fails to pay any fee and any penalty fees timely, the Bureau may initiate			
5	proceedings to revoke the institution's approval to operate for failure to pay fees."			
6	13. California Code of Regulations, title 5, section 74006 states:			
7 8	(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.			
9	(b) An institution shall pay its annual fee in addition to any other applicable fees.			
10 11	(c) The annual institutional fee is based on the institution's annual revenue. For purposes of this article, annual revenue is annual gross revenue.			
12	14. California Code of Regulations, title 5, section 74110 states:			
13 14	(a) The annual report required by Section 94934 of the Code shall include the information required by this section, subsections (f) through (j) of section 74112, and sections 94929.5 and 94934 of the Code for all educational programs offered in the prior calendar year, and all of the following for the prior calendar year:			
15 16	(1) Information regarding institutional branch campuses, including addresses and programs offered at each campus, if applicable;			
17 18	(2) Information regarding satellite locations, including addresses and with which campus(es) the satellite location is affiliated, if applicable;			
19	(3) Name of institutional accreditors for each branch and satellite campus, and			
20	for each such campus at which any programs have programmatic accreditation, the names of the programmatic accreditor for each such program, and effective dates for each programmatic accreditation, if applicable;			
21	(4) Information regarding participation in state and federal student loan and			
22	grant programs, including the total amount of funding received from each source for those students enrolled in an approved California school regardless of their state of			
23	residency;			
24	(5) Information regarding participation in other public funding programs, including the amount of funding received from each public funding source; for purposes of this section, public funding is any financial aid paid on behalf of students or directly to an institution from any public source, such as the Workforce Investment Act, any veterans' financial aid programs pursuant to Section 21.4253 of Title 38 of the Code of Federal Regulations or any other financial aid program that is intended to help students pay education-related expenses, including tuition, fees, room and board, and supplies for education;			
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28	(6) The total percentage of institutional income that comes from any public			

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1	prior calendar year only.	
1 2	(e) An institution shall file its annual report by December 1st of each year. The Bureau may extend the period for filing if the institution demonstrates evidence of	
3	substantial need but in no case longer than 60 days. The institution shall not change the date of its filing its annual report because of a change in the fiscal year without	
4	the Bureau's approval.	
5	(f) The annual report shall be electronically filed by submitting the information required by section 94934 of the Code and this section via the Bureau's online annual reports portal designated on the Bureau's website at: www.bppe.ca.gov, and electronically uploading, as directed, the School Performance Fact Sheet, the	
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7	enrollment agreement, the school catalog and the graduate identification data required by this section. The following conditions relate to such electronic filings:	
8	(1) Institutions submitting their annual report submission shall first have a responsible institution representative register the institution for a user account by	
9	creating a user name, password, email address, and the institution representative's first and last name, primary phone number, and address.	
10 11	(2) As part of the annual report, the institution shall provide standard reporting and contact information through the online portal, including:	
12	(A) the report year;	
13	(B) institution's approval code;	
14	(C) institution's name;	
15	(D) institution's physical address;	
16 17	(E) the form of business organization of the institution (sole proprietorship, for-profit corporation, non-profit corporation, or limited liability company (LLC));	
18	(F) a statement whether the institution is current on its annual fees; and	
19	(G) the institution's website address, or notice that it does not maintain an internet website if it does not do so.	
20	(3) The graduate identification data reported by the institution shall be provided	
21	in the following application and file format: in an Excel spreadsheet (.xls or .xlsx file format), or a text file with a semi-colon, comma, or pipe delimiter (.csv or .txt file	
22	format).	
23	(4) Electronic Signature: When a signature is required by the particular instructions of any filing to be made through the online portal, including any attestation under penalty of perjury as required by Section 94934 of the Code, a	
24	responsible institutional representative of the institution shall affix their electronic signature to the filing by typing their name in the appropriate field and submitting the	
25	filing via the Bureau's online portal. Submission of a filing in this manner shall constitute evidence of legal signature by any individual whose name is typed on the	
26	filing.	
27 28	(5) When considered filed with the Bureau: Solely for purposes of a filing made through the online portal an annual report is considered filed when all information required by this section has been submitted by the institution and the institution has	

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failure to pay its 2022 Annual fee and 90-day late payment penalty fee. The Bureau issued an administrative fine of \$1,503.00. The Citation ordered Respondent to submit the delinquent STRF Assessment Reporting Forms and assessment fees collected from students, and to submit its Annual Fee and 90-day late payment penalty fee for the 2022 calendar year. Respondent did not appeal the Citation.

- 21. On June 21, 2023, and October 4, 2023, the Bureau mailed demand letters to Respondent, requesting compliance with the Citation. On October 17, 2023, Respondent contacted the Bureau to request a citation payment plan. On November 3, 2023, the Bureau received the fourth quarter 2022 and first quarter 2023 STRF Assessment Reporting Form, assessment fees, and the 2022 Annual Fee form. However, the 2022 Annual Fee invoice that was submitted was not in compliance with the Annual Fee schedule, as Respondent listed a total due of \$0.00, when the minimum due per Institution is \$2,500.00. The 2022 Annual Fee and 90-day late payment penalty fee remained delinquent. On November 13, 2023, the Bureau received the signed citation payment plan from Respondent, agreeing to make twelve monthly installments of \$125.00 beginning December 10, 2023. On December 15, 2023, the Bureau mailed a third demand letter to Respondent. On January 16, 2024, the Bureau received full payment of the administrative citation fine in the amount of \$1,503.00.
- 22. On January 17, 2024, the Bureau mailed a fourth demand letter requesting compliance with the remaining order of abatement to submit the 2022 Annual Fee and 90-day late payment penalty fee by January 31, 2024. On April 3, 2024, May 6, 2024, and May 28, 2024, respectively, the Bureau mailed demand letters to Respondent for the outstanding order of abatement. On June 11, 2024, the Bureau emailed Respondent regarding the outstanding order of abatement. Respondent replied to the Bureau that they were out of the country and would call the Bureau at a later time. The Bureau provided Respondent with contact information for the Bureau's fiscal analyst to discuss the outstanding Annual Fee. To date, Respondent has failed to comply with Citation 2223151 regarding the order of abatement.

Citation Number 23240269

23. On May 20, 2024, the Bureau issued Citation Number 23240269 to Respondent for failure to submit its fourth quarter 2023 STRF Assessment Reporting Forms and collection of assessment fees as well as failure to pay the Annual Fee and 90-day late payment penalty fee for the 2023 calendar year. The Bureau issued an administrative fine of \$2,000.00. The Citation ordered Respondent to submit delinquent STRF Assessment Reporting Forms and STRF assessments collected from students, and to submit its Annual Fee and 90-day late payment penalty fee for the 2023 calendar year. Respondent did not appeal the Citation. The Bureau mailed demand letters to Respondent for compliance with this Citation on July 3, 2024, August 7, 2024, and September 13, 2024, respectively. To date Respondent has failed to comply with Citation Number 23240269.

Citation Number 24250033

24. On August 6, 2024, the Bureau issued Citation Number 24250033 to Respondent for failure to submit its first quarter 2024 STRF Assessment Reporting Form and the collection of assessment fees. The Bureau issued an administrative fine of \$1,000.00. The Citation ordered the Respondent to submit the delinquent STRF Assessment Reporting Form and STRF assessments collected from students. Respondent did not appeal the Citation. The Bureau mailed the demand letters on September 13, 2024, October 18, 2024, and November 19, 2024, respectively. To date, Respondent has failed to comply with Citation 24250033.

Citation Number 24250089

25. On September 19, 2024, the Bureau issued Citation Number 24250089 to Respondent for failure to submit its second quarter 2024 STRF Assessment Reporting Form and the collection of assessment fees. The Bureau issued an administrative fine of \$1,000.00. The Citation ordered Respondent to submit its STRF Assessment Reporting Form and the collection of assessment fees, for the second quarter reporting period of 2024. Respondent did not appeal the Citation. The Bureau mailed demand letters on October 22, 2024, November 25, 2024, and December 30, 2024, respectively. To date, Respondent has failed to comply with Citation Number 24250089.

1	CAUSE FOR DISCIPLINE			
2	(Failure to Comply with Citations)			
3	26.	Respondent has subjected its A	Approval to Operate to disciplinary action under Code	
4	section 949	section 94936 and California Code of Regulations, title 5, section 75050, subdivision (b), in that		
5	Responder	Respondent failed to comply with citation numbers 2223151, 23240269, 24250033, and		
6	24250089 as more fully set forth above and incorporated herein by reference.			
7	<u>PRAYER</u>			
8	WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,			
9	and that following the hearing, the Director of the Department of Consumer Affairs issue a			
10	decision:			
11	1. Revoking or suspending the Approval to Operate, Institution Code Number			
12	80057977, issued to The DevMasters, owned by The DevMasters, Inc.;			
13	2. Ordering The DevMasters to pay the Bureau for Private Postsecondary Education the			
14	reasonable costs of the investigation and enforcement of this case, pursuant to Business and			
15	Professions Code section 125.3 and,			
16	3.	Taking such other and further	action as deemed necessary and proper.	
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18	DATED:	1/9/2025	"Original Signature on File" DEBORAH COCHRANE	
19			Chief Bureau for Private Postsecondary	
20			Education Department of Consumer Affairs	
21			State of California Complainant	
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