



CITATION ORDER

<p>Citation Issued To: Diva Beauty School 2298 Quimby Road Suite A San Jose, CA 95122</p> <p>Institution Code: 69570128</p>	<p>Citation Number: 24250158</p> <hr/> <p>Total Fine Amount: \$2,002.00</p> <hr/> <p>Order of Abatement Included: Yes</p>
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Elizabeth Elias issues this 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

1. On or about June 2, 2021, the Bureau issued an Approval to Operate a Private Postsecondary Institution, Institution Code 69570128, to Diva Beauty School, hereinafter referred to as the "Institution." This Approval to Operate will expire on or about June 2, 2026, unless renewed.

DISCIPLINE HISTORY

2. The Institution has the following discipline history:
 - [Citation No. 24250069, issued January 7, 2025](#)

CITATION JURISDICTION

3. This administrative citation is issued to the Institution pursuant to California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

CAUSE FOR CITATION & ASSESSMENT OF FINE AND/OR ORDER OF ABATEMENT

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

Violation #1:

5 CCR section 71920(b)(9) – Student Records and 5 CCR section 71930(e) – Maintenance of Records

Cause for Citation: On or about November 29, 2023, the Bureau conducted an announced compliance inspection under CEC 94932.5(a). During the inspection, Bureau staff reviewed nine student files and found that none contained a document detailing the total amount of money received from or on behalf of the student, along with the corresponding payment dates, as required by 5 CCR section 71920(b)(9).

Administrative Fine: Pursuant to 5 CCR 75030, the Bureau has determined this to be a “Class B” violation. The Institution is issued a fine of \$1,001.00.

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

The Bureau orders the Institution to ensure that all student records comply with the law under 5 CCR sections 71920 and 71930. The Institution must submit a signed and dated attestation confirming that the violation has been corrected and that all student records now include a document showing the total amount of money received from or on behalf of each student, along with the payment dates, as required by law. The statement must be signed by an authorized representative of the Institution.

Violation #2:

5 CCR section 71920(b)(10) - Student Records and 5 CCR section 71930(e) – Maintenance of Records

Cause for Citation: On or about November 29, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested and reviewed nine student files and found that three student files reviewed for withdrawn/dropped students failed to contain a document specifying the amount of a refund, including the amount refunded for tuition and the amount for other itemized charges, the method of calculating the refund, the date the refund was made, and the name and address of the person or entity to which the refund was sent pursuant to 5 CCR section 71920(b)(10).

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class B” violation. The Institution is issued a fine of \$1,001.00.

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 statement of attestation they will maintain required student records pursuant to 5 CCR sections 71920 and 71930. The statement of attestation must be signed and dated by an authorized representative of the Institution.

COMPLIANCE WITH ORDER OF ABATEMENT

5. In accordance with the provisions of CEC section 94936 and 5 CCR section 75020, 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 citation. Evidence of compliance with the order of abatement may be sent by mail or email to:

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

COMPLIANCE WITH ASSESSMENT OF FINE

6. In accordance with the provisions of CEC section 94936, and 5 CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fines in the total amount of \$2,002.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this citation unless an informal conference or hearing is requested. 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

Citation Number: 24250158
Institution: Diva Beauty School
Institution Code: 69570128

Attn: Discipline Unit – Aspen Grambusch
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

7. You have the right to contest this citation through an informal conference with the Bureau pursuant to 5 CCR section 75020 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, the Bureau must receive a written request within 30 days from the date of issuance of this citation asking for an informal conference and/or administrative hearing or you may also submit the enclosed *Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing* form.

The written request may be sent by email or mail to the addresses below:

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

Failure to submit a written request for an informal conference and/or administrative hearing within 30 days from the date of issuance of this citation will forfeit your ability to appeal the citation.

If a hearing is requested, you are not required to comply with this citation until a final order is entered against you.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

8. Pursuant to BPC section 125.9 and 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.

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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.

BUREAU CONTACT INFORMATION

9. If you have any questions regarding this Citation, please contact Aspen Grambusch, Citation Analyst by email at Aspen.Grambusch@dca.ca.gov or by phone at (279) 895-6005.

“Original Signature on File”

2/12/2025

Elizabeth Elias
Deputy Bureau Chief of Enforcement

Citation Date of Issuance

Enclosures:

- 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