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8 **BEFORE THE**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. BPPE24-1006

13 **PRECISE BARBER COLLEGE**  
5176 Santa Monica Blvd., Suite 103  
14 Los Angeles, CA 90029

**ACCUSATION**

15 Institution Code No. 98349951

16 Respondent.

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18  
19 **PARTIES**

20 1. Deborah Cochrane (Complainant) brings this Accusation solely in her official  
21 capacity as the Chief of the Bureau for Private Postsecondary Education, Department of  
22 Consumer Affairs.

23 2. On or about February 22, 2018, the Bureau for Private Postsecondary Education  
24 issued an Approval to Operate Institution Code Number 98349951 to Precise Barber College  
25 (Respondent), owned by Covenant House California. The Approval to Operate expired on  
26 February 22, 2023, and has not been renewed. An application for renewal of the Institution's  
27 Approval to Operate a Private Postsecondary Institution was received on March 3, 2023, and is  
28 under review.

## **JURISDICTION**

3. This Accusation is brought before the Director of the Department of Consumer Affairs (Director) for the Bureau, under the authority of the following laws. All section references are to the Education Code (Code) unless otherwise indicated.

4. Business and Professions Code section 118, subdivision (b), provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Bureau of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

5. Code section 94875 provides that the Bureau shall regulate private postsecondary educational institutions.

6. Code section 94877 states, in relevant part, that:

(a) The bureau shall adopt and shall enforce regulations to implement this chapter pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(b) The bureau shall develop and implement an enforcement program, pursuant to Article 18 (commencing with Section 94932) to implement this chapter . . .

7. Code section 94932 states that:

The bureau shall determine an institution's compliance with the requirements of this chapter. The bureau shall have the power to require reports that institutions shall file with the bureau in addition to the annual report, to send staff to an institution's sites, and to require documents and responses from an institution to monitor compliance. When the bureau has reason to believe that an institution may be out of compliance, it shall conduct an investigation of the institution. If the bureau determines, after completing an investigation, that an institution has violated any applicable law or regulation, the bureau shall take appropriate action pursuant to this article.

8. Code section 94937 states that:

(a) As a consequence of an investigation, which may incorporate any materials obtained or produced in connection with a compliance inspection, and upon a finding that an institution has committed a violation, the bureau may place an institution on probation or may suspend or revoke an institution's approval to operate for:

(1) Obtaining an approval to operate by fraud.

(2) A material violation or repeated violations of this chapter or regulations adopted pursuant to this chapter that have resulted in harm to students. For purposes of this paragraph, "material violation" includes, but is not limited to, misrepresentation, fraud in the inducement of a contract, and false or misleading

claims or advertising, upon which a student reasonably relied in executing an enrollment agreement and that resulted in harm to the student.

(c) The bureau may seek reimbursement pursuant to Section 125.3 of the Business and Professions Code.

(d) An institution shall not be required to pay the cost of investigation to more than one agency.

### **STATUTORY PROVISIONS**

9. Code section 94936 states:

(a) As a consequence of an investigation, which may incorporate any materials obtained or produced in connection with a compliance inspection, and upon a finding that the institution has committed a violation of this chapter or that the institution has failed to comply with a notice to comply pursuant to Section 94935, the bureau shall issue a citation to an institution for violation of this chapter, or regulations adopted pursuant to this chapter.

(b) The citation may contain any of the following:

(1) An order of abatement that may require an institution to demonstrate how future compliance with this chapter or regulations adopted pursuant to this chapter will be accomplished.

(2) Notwithstanding Section 125.9 of the Business and Professions Code, an administrative fine not to exceed five thousand dollars (\$5,000) for each violation. The bureau shall base its assessment of the administrative fine on:

(A) The nature and seriousness of the violation.

(B) The persistence of the violation.

(C) The good faith of the institution.

(D) The history of previous violations.

(E) The purposes of this chapter.

(F) The potential harm to students.

(3) An order to compensate students for harm, including a refund of moneys paid to the institution by or on behalf of the student, as determined by the bureau.

(c) (1) The citation shall be in writing and describe the nature of the violation and the specific provision of law or regulation that is alleged to have been violated.

(2) The citation shall inform the institution of its right to request a hearing in writing within 30 days from service of the citation.

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(3) If a hearing is requested, the bureau shall select an informal hearing pursuant to Article 10 (commencing with Section 11445.10) of Chapter 4.5 of Part 1 of Division 3 of Title 2 of the Government Code or a formal hearing pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(4) If a hearing is not requested, payment of the administrative fine is due 30 days from the date of service, and shall not constitute an admission of the violation charged.

(5) If a hearing is conducted and payment of an administrative fine is ordered, the administrative fine is due 30 days from when the final order is entered.

(6) The bureau may enforce the administrative fine as if it were a money judgment pursuant to Title 9 (commencing with Section 680.010) of Part 2 of the Code of Civil Procedure.

(d) All administrative fines shall be deposited in the Private Postsecondary Education Administration Fund.

### **REGULATORY PROVISIONS**

10. California Code of Regulations, title 5, section 75020 states:

(a) The Bureau Chief, or his or her designee, or the Director's designee, is authorized to issue citations containing orders of abatement and/or administrative fines pursuant to section 94936 of the Code against approved private, postsecondary institutions that have committed any acts or omissions that are in violation of the Act or any regulation adopted pursuant thereto.

(b) The Bureau Chief, or his or her designee, or the Director's designee, is authorized to issue citations containing orders of abatement and administrative fines not to exceed \$100,000 pursuant to section 94944 of the Code against persons who are without proper approval to operate a private, postsecondary institution. In addition, the citation may contain an order of abatement pursuant to section 149 of the Business and Professions Code that requires the unapproved person to cease any unlawful advertising and to notify the telephone company furnishing services to the cited person: (1) to disconnect the telephone services furnished to any telephone number contained in the unlawful advertising, and (2) that subsequent calls to that number shall not be referred by the telephone company to any new number obtained by that person. The provisions of section 75040 shall apply to this subsection.

(c) In addition to the requirements of section 94936 of the Code, each citation shall inform the cited institution or person that:

(1) if a hearing pursuant to the Administrative Procedure Act (APA) is not requested, payment of the administrative fine is due 30 days from the date of service, and shall not constitute an admission of the violation charged.

(2) if a hearing pursuant to the APA is conducted and payment of an administrative fine is ordered, the administrative fine is due 30 days from when the order is effective;

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(3) if the cited institution or person desires an informal conference to contest the finding of a violation prior to an APA hearing, the informal conference shall be requested by written notice to the Bureau within 30 days from service of the citation;

(4) failure to comply with any order of abatement within the time set forth in the citation, unless the citation is being appealed, may result in disciplinary action being taken by the Bureau; and

(5) the Bureau may enforce the administrative fine as if it were a money judgment pursuant to the California Code of Civil Procedure (beginning with section 680.010).

(d) Each citation shall be served on the cited institution or person, in person, or by certified and regular mail at the address of record on file with the Bureau. Citations served by certified and regular mail shall be deemed "served" on the date of mailing.

(e) The sanction authorized under this section shall be separate from, and in addition to, any civil, criminal, or other administrative remedies.

11. California Code of Regulations, title 5, section 75030 states:

Where citations pursuant to section 94936 of the Code and section 75020, subsection (a) include an assessment of an administrative fine, the fine shall be not less than \$50 or exceed \$5,000 for each violation. Each violation shall be classified according to the nature of the violation and shall indicate the classification on the face thereof as follows:

(a) A "Class A" violation shall not be less than \$2,501 nor more than \$5,000. A Class A violation is one that the Bureau has, in its discretion, determined to be more serious in nature, deserving the maximum fine. A Class A violation may, in the Bureau's discretion, be issued to an institution that has committed one or more prior separate Class B violations.

(b) A "Class B" violation shall not be less than \$1,001 nor more than \$2,500. A Class B violation is one that the Bureau has, in its discretion, determined to be less serious in nature and may include, but is not limited to, a violation that could have resulted in student harm. Typically some degree of mitigation will exist. A Class B violation may be issued to an institution that has committed one or more prior separate Class C violations.

(c) A "Class C" violation shall not be less than \$501 nor more than \$1,000. A Class C violation is one that the Bureau has, in its discretion, determined to be a minor or technical violation, which may be directly or potentially detrimental to students or potentially impacts their education.

(d) A "Class D" violation shall not be less than \$50 nor more than \$500. A Class D violation is one that the Bureau has, in its discretion, determined to be a minor or technical violation, which is neither directly or potentially detrimental to students nor potentially impacts their education.

12. California Code of Regulations, title 5, section 75040 states in relevant part:

(a) Pursuant to section 94936(c)(2) of the Code, a cited institution or person may, within 30 days of service of the citation, request a hearing in writing to the Bureau, or it is waived. In addition to contesting a citation by requesting a hearing, the cited institution or

1 person may, within the same 30 days, submit a written request to the Bureau for an informal  
2 conference.

3 (b) The Bureau Chief, or his or her designee, or the Director, or his or her designee,  
4 shall within 30 days from the Bureau's receipt of a written request for an informal  
5 conference, hold an informal conference with the cited institution or person. The 30-day  
6 period may be extended by the Bureau Chief or the Director for good cause. The informal  
7 conference may be, by telephone.

8 (c) Following the informal conference, the Bureau Chief, or his or her designee, or  
9 the Director, or his or her designee, will affirm, modify, or dismiss the citation, including  
10 any fine assessed and/or order of abatement issued. A written order affirming, modifying,  
11 or dismissing the original citation shall be served on the cited institution or person within 30  
12 days from the informal conference. If the order affirms or modifies the original citation,  
13 said order shall fix a reasonable period of time for abatement of the violation and/or  
14 payment of the fine of not more than 30 days.

15 (d) If the informal conference results in the modification of the findings of  
16 violation(s), the amount of the fine and/or the order of abatement, the citation shall be  
17 considered modified, but not withdrawn. Unless waived, a cited institution or person is  
18 entitled to a hearing to contest the modified citation if the institution or person filed a timely  
19 request, but is not entitled to an informal conference to contest an affirmed or modified  
20 citation. If a timely request for a hearing was not filed, the decision on the affirmed or  
21 modified citation shall be considered final.

22 . . .

23 (g) If a written request for a hearing pursuant to section 94936(c)(2) of the Code, or  
24 for an informal conference as provided in subsection (a), or both, is not submitted to the  
25 Bureau within 30 days from service of the citation, the cited institution or person is deemed  
26 to have waived the right to an informal conference and/or administrative hearing.

27 13. California Code of Regulations, title 5, section 75050 states in relevant part:

28 . . .

(b) Failure of an applicant or institution issued an approval to operate to abate the  
violation or to pay the fine within the time allowed is a ground for denial or discipline of an  
approval to operate.

. . .

14. California Code of Regulations, title 5, section 75100 provides that the Bureau may  
suspend, revoke or place on probation with terms and conditions an approval to operate.

### **COST RECOVERY**

15. Code section 94937, subdivision (c), provides that the Bureau may seek  
reimbursement for its costs of investigation and enforcement pursuant Business and Professions  
Code section 125.3.

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16. Business and Professions Code section 125.3 provides, in pertinent part, that the Bureau may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

## FACTUAL ALLEGATIONS

**Citation Number 2324069**

17. On September 5, 2023, the Bureau issued Citation No. 2324069 to Respondent for failure to submit its Student Tuition Recovery Fund (STRF) Assessment Reporting Form and applicable fees for the first quarter reporting period of 2022.

18. The Bureau issued an administrative fine of \$1,000.00 and included an Order of Abatement to submit the delinquent STRF. The Respondent did not appeal the Citation. The Bureau mailed demand letters for payment of the administrative fine and compliance with the Order of Abatement on December 13, 2023, January 19, 2024, and March 5, 2024, respectively. To date, the Respondent has failed to comply with Citation No. 2324069.

**Citation Number 23240221**

19. On April 17, 2024, the Bureau issued Citation No. 23240221 to Respondent for failure to submit the 2022 Annual Report which was due to the Bureau by December 1, 2023.

20. The Bureau issued an administrative fine of \$5,000.00 and included an Order of Abatement to submit the 2022 Annual Report. The Respondent did not appeal the Citation. The Bureau mailed demand letters for payment of the administrative fine and compliance with the Order of Abatement on May 22, 2024, July 10, 2024, and September 17, 2024, respectively. On September 30, 2024, the Bureau received payment for the administrative fine in the amount of \$5,000.00, however, the school failed to submit the 2022 Annual Report. To date, the Respondent has failed to comply with Citation No. 23240221.

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**Citation Number 24250022**

21. On July 29, 2024, the Bureau issued Citation No. 24250022 to Respondent for failure to submit its Student Tuition Recovery Fund (STRF) Assessment Reporting Form and applicable fees for the first quarter reporting period of 2024.

22. The Bureau issued an administrative fine of \$1,000.00 and included an Order of Abatement to submit the delinquent STRF. The Respondent did not appeal the Citation. The Bureau mailed demand letters on September 23, 2024, October 23, 2024, and November 25, 2024, respectively. On February 6, 2025, the Bureau received the first quarter 2024 STRF Assessment Reporting Forms and STRF assessments collected from students. However, the Bureau did not receive payment for the administrative fine. To date, the Respondent has failed to comply with Citation No. 24250022.

**Citation Number 24250084**

23. September 19, 2024, the Bureau issued Citation No. 24250084 to Respondent for failure to submit its Student Tuition Recovery Fund (STRF) Assessment Reporting Form STRF assessment for the second quarter reporting period of 2024.

24. The Bureau issued an administrative fine of \$1,000.00 and included an Order of Abatement to submit the delinquent STRF. The Respondent did not appeal the Citation. The Bureau mailed demand letters on October 21, 2024, November 21, 2024, and December 23, 2024, respectively. To date, the Respondent has failed to comply with Citation No. 24250084.

**FIRST CAUSE FOR DISCIPLINE**

**(Failure to Comply with Citation Number 2324069)**

25. Respondent is subject to disciplinary action under Code section 94936 and California Code of Regulations, title 5, section 75050 in that Respondent failed to fully comply with the Orders of Abatement in Citation Number 2324069. Complainant hereby incorporates paragraphs 17-18 above as though set forth in full herein.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Citation Number 23240221)**

3 24. Respondent is subject to disciplinary action under Code section 94936 and  
4 California Code of Regulations, title 5, section 75050 in that Respondent failed to fully comply  
5 with Citation Number 23240221. Complainant hereby incorporates paragraphs 19-20 above as  
6 though set forth in full herein.

7 **THIRD CAUSE FOR DISCIPLINE**

8 **(Failure to Comply with Citation Number 24250022)**

9 25. Respondent is subject to disciplinary action under Code section 94936 and  
10 California Code of Regulations, title 5, section 75050 in that Respondent failed to fully comply  
11 with Citation Number 24250022. Complainant hereby incorporates paragraphs 21-22 above as  
12 though set forth in full herein.

13 **FOURTH CAUSE FOR DISCIPLINE**

14 **(Failure to Comply with Citation Number 24250084)**

15 26. Respondent is subject to disciplinary action under Code section 94936 and  
16 California Code of Regulations, title 5, section 75050 in that Respondent failed to fully comply  
17 with Citation Number 24250084. Complainant hereby incorporates paragraphs 23-24 above as  
18 though set forth in full herein.

19 **DISCIPLINARY CONSIDERATIONS**

20 27. To determine the degree of discipline, if any, to be imposed on Precise Barber  
21 College, owned by Covenant House California, Complainant alleges that on or about May 16,  
22 2019, in a previous matter entitled *In the Matter of the Citation against Precise Barber College,*  
23 *owned by Covenant House California*, Bureau for Private Postsecondary Education Case No.  
24 1819201, the Bureau issued a Citation and Order of Abatement as to Respondent Precise Barber  
25 College, owned by Covenant House California, which included payment of a fine in the amount  
26 of \$50.00, for the following violations: Failure to Collect and Submit STRF Assessments for the  
27 first, second, third, and fourth quarters for the calendar year 2018 [pursuant to California Code of  
28 Regulations, title 5, section 76130(a-e)]; and Failure to Submit Annual Fee for the calendar year

1 2018 [pursuant to California Code of Regulations, title 5, section 74006(a) and (b)]. That citation  
2 is now final and is incorporated by reference as if fully set forth herein.

3 28. To determine the degree of discipline, if any, to be imposed on Respondent Precise  
4 Barber College, owned by Covenant House California, Complainant alleges that on or about  
5 January 21, 2021, in a previous matter entitled *In the Matter of the Citation against Precise*  
6 *Barber College, owned by Covenant House California*, Bureau for Private Postsecondary  
7 Education Case No. 2021179, the Bureau issued a Citation and Order of Abatement as to  
8 Respondent Precise Barber College, owned by Covenant House California, which included  
9 payment of a fine in the amount of \$50.00, for the following violations: Failure to Collect and  
10 Submit STRF Assessments for the second and third quarters for the calendar year 2020 [pursuant  
11 to California Code of Regulations, title 5, section 76130(a-e)]. That citation is now final and is  
12 incorporated by reference as if fully set forth herein.

13 29. To determine the degree of discipline, if any, to be imposed on Respondent Precise  
14 Barber College, owned by Covenant House California, Complainant alleges that on or about  
15 August 30, 2021, in a previous matter entitled *In the Matter of the Citation against Precise*  
16 *Barber College, owned by Covenant House California*, Bureau for Private Postsecondary  
17 Education Case No. 2122044, the Bureau issued a Citation and Order of Abatement as to  
18 Respondent Precise Barber College, owned by Covenant House California, which included  
19 payment of a fine in the amount of \$1551.00, for the following violations: – Admissions  
20 Standards and Transferred Credit Policy – Student files failed to include verification of high  
21 school completion, equivalency, or other documentation establishing the student’s ability to do  
22 college level work, such as a successful completion of an Ability to Benefit (ATB) exam upon  
23 admissions [pursuant to California Code of Regulations, title 5, sections 71770(a)(1),  
24 71920(a)(b)(1)(A), and California Education Code section 94904(a)]; and Failure to Collect and  
25 Submit STRF Assessments for the first and second quarters for the calendar year 2021 [pursuant  
26 to California Code of Regulations, title 5, section 76130(a-e)]. That citation is now final and is  
27 incorporated by reference as if fully set forth herein.

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**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Director of the Department of Consumer Affairs issue a decision:

1. Revoking or suspending Approval to Operate Number 98349951, issued to Precise Barber College, owned by Covenant House California;
2. Ordering Covenant House California to pay the Bureau for Private Postsecondary Education the reasonable costs of the investigation and enforcement of this case, pursuant to Code sections 94937, subdivision (c); and
3. Taking such other and further action as deemed necessary and proper.

DATED: 4/13/2025

**"Original Signature on File"**

DEBORAH COCHRANE  
Chief  
Bureau for Private Postsecondary  
Education  
Department of Consumer Affairs  
State of California  
*Complainant*

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