

BEFORE THE  
DEPARTMENT OF CONSUMER AFFAIRS  
FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION  
STATE OF CALIFORNIA

In the Matter of the Citation Against: \_\_\_\_\_ | Case No. BPPE23-0442

**SUMI LASHES EYEBROW ACADEMY,  
VIVIAN XIAO, OWNER**  
18250 Colima Road #203  
Rowland Heights, CA 91748.

| Case No. BPPE23-0442

Citation No. 24250121

OAH No. 2025070236

## DEFAULT DECISION AND ORDER

Respondent. [Gov. Code, §11520]

## **FINDINGS OF FACT**

1. On or about October 10, 2024, Complainant Elizabeth Elias, in her official capacity as the Deputy Bureau Chief of Enforcement of the Bureau for Private Postsecondary Education, Department of Consumer Affairs, filed Citation No. 24250121 against Sumi Lashes Eyebrow Academy (Respondent), owned by Vivian Xiao, before the Director of the Department of Consumer Affairs. (Citation attached as Exhibit A.)

2. On or about September 30, 2024, the Bureau for Private Postsecondary Education (Bureau) determined that Respondent is not approved to operate as a private postsecondary institution.

1       3. On or about October 10, 2024, Respondent was served with Citation No. 24250121.

2       4. On or about November 7, 2024, Respondent signed and returned a Notice of Appeal,  
3 requesting a hearing in this matter.

4       5. On August 5, 2025, a Notice of Hearing was served by email and mail at  
5 Respondent's address of record which was and is:

6       18250 Colima Road #203

7       Rowland Heights, CA 91748.

8       The Notice of Hearing informed them that an administrative hearing in this matter was scheduled  
9 for October 22, 2025.

10       6. Service of the Citation was effective as a matter of law under the provisions of  
11 Government Code section 11505(c) and/or Business and Professions Code section 124.

12       7. The matter was called for hearing at the date, time and location set forth in the Notice  
13 of Hearing. The assigned Administrative Law Judge found that the service of the Notice of  
14 Hearing on Respondent was proper. There was no appearance by or on behalf of Respondent. A  
15 default was declared and on motion of counsel for Complainant, the matter was remanded to the  
16 Bureau under Government Code section 11520.

17       8. Government Code section 11506(c) states, in pertinent part:

18               (c) The respondent shall be entitled to a hearing on the merits if the respondent  
19 files a notice of defense . . . and the notice shall be deemed a specific denial of all  
20 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense  
. . . shall constitute a waiver of respondent's right to a hearing, but the agency in its  
discretion may nevertheless grant a hearing.

21       9. California Government Code section 11520(a) states, in pertinent part:

22               (a) If the respondent either fails to file a notice of defense . . . or to appear at  
23 the hearing, the agency may take action based upon the respondent's express  
24 admissions or upon other evidence and affidavits may be used as evidence without  
any notice to respondent . . .

25       10. Pursuant to its authority under Government Code section 11520, the Director finds  
26 Respondent is in default. The Director will take action without further hearing and, based on the  
27 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,  
28

1 finds that the charges and allegations in Citation No. 24250121, are separately and severally,  
2 found to be true and correct by clear and convincing evidence.

3 **DETERMINATION OF ISSUES**

4 1. Based on the foregoing findings of fact, Respondent Sumi Lashes Eyebrow Academy,  
5 owned by Vivian Xiao has subjected the Institution to discipline.

6 2. The agency has jurisdiction to adjudicate this case by default.

7 3. The Director of the Department of Consumer Affairs is authorized to uphold  
8 Affirmed Citation 24250121 issued against Respondent based upon the following violations  
9 alleged in the Citation which are supported by the evidence contained in the Default Decision  
10 Investigatory Evidence Packet in this case:

11 California Code of Regulations, title 5, section 75020 - in conjunction with California  
12 Education Code section 94886 – operating without bureau approval and offering programs with  
13 total costs that exceed \$2,500.00.

14 **ORDER**

15 IT IS SO ORDERED that Affirmed Citation No. 24250121, issued to Respondent Sumi  
16 Lashes Eyebrow Academy, owned by Vivian Xiao, is upheld

17 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a  
18 written motion requesting that the Decision be vacated and stating the grounds relied on within  
19 seven (7) days after service of the Decision on Respondent. The agency in its discretion may  
20 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

21 This Decision shall become effective on January 16, 2025.

22 It is so ORDERED December 15, 2025

23 "Original Signature on File"

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RYAN MARCROFT  
25 DEPUTY DIRECTOR  
LEGAL AFFAIRS DIVISION  
DEPARTMENT OF CONSUMER AFFAIRS

26 Default Decision and Order - LJC.docx  
DOJ Matter ID:LA2025601026

27 Attachment:  
28 Exhibit A: Citation