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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 Citation Against:

Case No. BPPE23-0442

13 **SUMI LASHES EYEBROW ACADEMY,**
14 **VIVIAN XIAO, OWNER**

Citation No. 24250121

14 18250 Colima Road #203
15 Rowland Heights, CA 91748.

OAH No. 2025070236

15 **DEFAULT DECISION AND ORDER**

16
17 Respondent.

[Gov. Code, §11520]

18
19 **FINDINGS OF FACT**

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

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26 2. On or about September 30, 2024, the Bureau for Private Postsecondary Education
27 (Bureau) determined that Respondent is not approved to operate as a private postsecondary
28 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
21 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
22 discretion may nevertheless grant a hearing.

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

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

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

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"

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

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

28 Attachment:
Exhibit A: Citation