

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

In the Matter of the Citations Against:

A-1 TRUCK DRIVING SCHOOL, INC.

2977 Baumberg Avenue

Hayward, CA 94545

Institution Code: 0106221

Citation No: 2223141 and 24250226

BPPE Case No.: BPPE24-1067

OAH No. 2024070182 and 2025090254

Respondent.

DECISION AND ORDER

The attached Proposed Decision of the Administrative Law Judge is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on January 22, 2026.

It is so ORDERED December 19, 2025.

“Original Signature on File”

RYAN MARCROFT
DEPUTY DIRECTOR
LEGAL AFFAIRS DIVISION
DEPARTMENT OF CONSUMER AFFAIRS

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

In the Matter of the Citations Issued to:

**A-1 TRUCK DRIVING SCHOOL INC,
Respondent.**

Agency Citation Nos. 2223141, 24250226

OAH Nos. 2024070182 and 2025090254

PROPOSED DECISION

Administrative Law Judge Frances M. Valdez, State of California, Office of Administrative Hearings, heard these consolidated matters on October 27, 2025, by videoconference.

Deputy Attorney General Carter Ott represented complainant Elizabeth Elias, Deputy Bureau Chief of Enforcement, Bureau for Private Postsecondary Education, Department of Consumer Affairs.

Respondent A-1 Truck Driving School Inc was represented by Mohinder Janda, Owner.

The record was held open for respondent to submit documentary evidence and for complainant to submit a response to respondent's submission. Respondent timely

submitted documents, and complainant submitted a timely response. Respondent's exhibit A is admitted, and respondent's exhibit B is admitted as administrative hearsay. Complainant's response is marked for identification as exhibit 16.

The record closed and the matter was submitted for decision on November 17, 2025.

FACTUAL FINDINGS

1. On November 22, 2002, the Bureau for Private Postsecondary Education (Bureau) issued full approval to respondent A-1 Truck Driving School Inc. (respondent), Institution Code 0106221, to operate a private postsecondary institution. The approved program is for professional truck and bus driving training.
2. Mohinder Janda is respondent's owner, and Subramaniam "Jack" Iyer is respondent's accountant.
3. On June 5, 2023, complainant Elizabeth Elias, acting in her official capacity as the Bureau's Enforcement Chief, issued Citation Number 2223141 against respondent for four violations, assessing a fine, and imposing orders of abatement, as described below. Respondent requested an informal conference, which was held on September 1, 2023. The informal conference was attended by complainant Elias, and by Janda and Iyer for respondent. After the informal conference, complainant issued an informal conference summary and decision, stating no new facts were presented at the conference and affirming the citation.

4. Affirmed Citation Number 2223141 was issued to respondent on September 29, 2023, alleging four violations, assessing administrative fines totaling \$11,003, and imposing orders of abatement:

- Violation No. 1: failing to maintain a copy of substantiating data for the Student Tuition Recovery Fund (STRF) for the third and fourth reporting periods of 2021, in violation of California Code of Regulations, title 5, sections 76140 and 71930, subdivision (e). The citation assessed an administrative fine of \$1,001 for this violation. An order of abatement required respondent to submit an electronic copy of the STRF substantiating data for the first reporting period of 2023 and submit an attestation that the violation has been corrected and respondent will ensure substantiating data for the STRF is maintained in an electronic format and readily available upon request by Bureau representatives.
- Violation No. 2: failing to maintain a copy of substantiating data for the 2019-2020 School Performance Fact Sheet (SPFS), in violation of California Code of Regulations, title 5, sections 74112, subdivision (m), and 71930, subdivision (e). The citation assessed an administrative fine of \$2,501. An order of abatement required respondent to submit substantiating data for the 2020-2021 SPFS and submit an attestation that the violation has been corrected and that the substantiating date for SPFS is maintained and immediately available during a Bureau inspection.
- Violation No. 3: failing to provide a copy of respondent's current financial statements, in violation of California Code of Regulations, title 5, section 71745, and Education Code section 94885. The citation assessed an administrative fine of \$2,501. An order of abatement required respondent to

submit current financial statements for year-end 2022 and an electronic roster of all currently enrolled students and other pertinent information.

- Violation No 4: failing to submit all components of the 2021 annual report, which was due by December 1, 2022, in violation of California Code of Regulations, title 5, section 74110, and Education Code section 94934. The citation assessed an administrative fine of \$5,000. An order of abatement required respondent to submit the 2021 annual report.

5. On February 6, 2025, complainant Elias issued Citation Number 24250226 against respondent for one violation, assessing an administrative fine, and imposing an order of abatement. On May 29, 2025, an informal conference was held and attended by complainant Elias, and by Janda and Iyer for respondent. The same day, complainant Elias issued an informal conference summary and decision, stating no new facts were presented at the conference and affirming the citation.

6. Affirmed Citation Number 24250226 was issued to respondent on June 2, 2025, for one violation for failure to submit a 2023 annual report, in violation of California Code of Regulations, title 5, section 74110. The citation assessed a \$5,000 fine, and ordered that respondent submit the 2023 annual report.

Factual Basis for Citations

7. On April 20, 2022, Matthew Wiggins, Bureau Special Investigator, conducted an unannounced compliance inspection of respondent. Wiggins prepared an inspection report dated May 2, 2022, and testified credibly and consistently with his report at hearing.

8. Before the inspection, Wiggins conducted a "desk review" in which he reviewed the Bureau's file related to respondent. Wiggins identified deficiencies that he planned to address at the inspection and give respondent the opportunity correct at that time.

9. When Wiggins arrived on site, he observed instructors conducting vehicle inspections with students. Wiggins approached an instructor and announced the purpose of his visit. The instructor directed Wiggins to call Janda, which he did and left a message. Paul Janda returned Wiggins' call and arrived on site approximately 20 minutes later. Paul Janda introduced himself as respondent's director. Wiggins explained the purpose of his visit. Paul Janda stated he did not have time to work with Wiggins and asked about exemptions from Bureau oversight.

10. Wiggins requested to review the following documents: supporting documents to substantiate STRF reporting for the third and fourth quarters of 2021, electronic documentation to substantiate the 2019-2020 SPFS, and respondent's most recent financial statements. In response to each of these requests, Paul Janda stated that information was unavailable because it was maintained with respondent's bookkeeper. Wiggins explained that respondent's records need to be kept on site.

11. When Wiggins requested student files, Paul Janda replied that he had some documents, but would not provide access for Wiggins to review the student files. Wiggins also asked to review respondent's faculty files, but Paul Janda did not allow him to do so. Instead, Paul Janda advised that he would pursue an exempt status and surrender respondent's approval to operate.

12. Wiggins was unable to perform most of the inspection. As of the date of hearing, respondent had not provided to the Bureau any of the requested documents

from the 2022 inspection. After hearing, respondent submitted current financial statements as discussed below.

13. Cheryl Garcia is an Annual Report Compliance Manager for the Bureau and testified credibly at hearing. Garcia explained that institutions are required to submit an annual report to the Bureau for the previous calendar year by December 1. The annual report is important for transparency and providing data to students regarding an institution. In the past, institutions were required to submit the annual report by mail. However, in 2022 an online annual report portal was implemented and institutions uploaded their data instead of using the mail. The Bureau sends informational annual report notices by mail a few times a year to remind institutions that the portal is open and what needs to be submitted. Annual report notices were sent to respondent.

14. Garcia confirmed that as of the hearing date respondent had not submitted its annual reports for 2021 or 2023.

Prior Citation History

15. Respondent has received three previous citations:

- Citation Number 1920277: failure to submit the 2018 annual report. In June 2020, after an informal conference, a modified citation was issued reducing the administrative fine from \$5,000 to \$0.
- Citation Number 1920249: failure to include required documents in student records, failure to provide a copy of the SPFS to students, failure to include educational qualifications in faculty member files, failure to collect and maintain supporting documentation for the STRF, failure to obtain accurate

student salary and wage information and supporting documentation, and failure to submit the 2017 annual report. The citation was originally issued in March 2020. In January 2021, after an informal conference, a modified citation was issued reducing the administrative fine from \$14,501 to \$5,000.

- Citation Number 2021197: failure to pay a 30-day late payment penalty fee for the 2020 annual fee. The citation was issued in February 2021 and included an order of abatement instructing respondent to submit all late payment penalty fees.

16. Respondent complied with the citation orders and paid the administrative fines.

Respondent's Additional Evidence

17. Iyer testified at hearing in support of respondent. Iyer did not dispute the deficiencies but stated that respondent has made efforts to maintain compliance. For the past 30 years, Iyer reported that respondent has done its best to provide vocational training for students and that there have never been any student complaints to the Board. Iyer stated Paul Janda is a salesperson and "could not document anything to save his life." Respondent has had difficulties recovering from a decrease in enrollment after the COVID-19 pandemic, and hiring administrative staff who could assist with documentation and reporting requirements. Regarding the annual reporting, Iyer stated that the Bureau's system for reporting changed and the website was cumbersome. Regarding the substantiating data, specifically student employment status and salary reporting, Iyer stated students are hesitant to reveal salaries. As respondent's accountant, Iyer testified that the school maintains a 1.35 or more asset to liabilities ratio, but recognized it was impossible for the Bureau to know

that because respondent did not produce current financial statements. Iyer stated that it is respondent's policy to issue a full refund to students upon request and only one such request has been made in 2025. Iyer requested that the fines be reduced to be less of a burden on respondent.

18. After hearing, respondent submitted financial statements for the period of January through September 30, 2025, which stated "[m]anagement is not aware of any legal proceedings involving the company." The financial statements fail to identify who prepared them and whether they have been audited or reviewed.

19. Respondent submitted student testimonials after hearing. The students described the school as "great" and "excellent." Students wrote that the program is well organized, the instructors are professional and knowledgeable, and that staff want students to succeed. Students wrote that they felt prepared to take and pass the Department of Motor Vehicles commercial driver's license test.

LEGAL CONCLUSIONS

1. Complainant has the burden of proving, by a preponderance of the evidence, all facts necessary to support the citation. (*Owen v. Sands* (2009) 176 Cal.App.4th 985, 992.) The factual findings above reflect this standard.

2. California Code of Regulations, title 5, section 75020, authorizes the Bureau to issue citations and administrative fines for violations of the statutes and regulations governing private, postsecondary institutions. Citations may include administrative fines, orders of abatement to demonstrate how the institution will accomplish future compliance, or both. (*Id.*; see also Ed. Code, § 94936.)

Citation Number 2223141

VIOLATION No 1: STRF SUBSTANTIATING DATA

3. California Code of Regulations, title 5, section 76140, requires that an institution collect and maintain electronic records of student information to substantiate data reported on the STRF. An institution is required to make STRF substantiating data immediately available when a Bureau representative conducts a site inspection. (Cal. Code Regs., tit. 5, § 76140, subd. (b).) Further, all records an institution is required to maintain by law shall be made immediately available for inspection by the Bureau during normal business hours. (Cal. Code Regs., tit. 5, § 71930, subd. (e).) Cause exists to sustain Violation No. 1 as set forth in Factual Finding 10.

VIOLATION No. 2: SPFS SUBSTANTIATING DATA

4. California Code of Regulations, title 5, section 74112, subdivision (m), requires an institution to electronically maintain documentation supporting all data reported for the SPFS for five years and provide the substantiating data to the Bureau on request. All records an institution is required to maintain by law shall be made immediately available for inspection by the Bureau during normal business hours. (Cal. Code Regs., tit. 5, § 71930, subd. (e).) Cause exists to sustain Violation No. 2 as set forth in Factual Finding 10.

VIOLATION No. 3: FINANCIAL STATEMENTS

5. California Code of Regulations, title 5, section 71745, subdivision (c), requires an institution to provide to the Bureau its most current financial statements on request. Education Code section 94885 requires the Board to adopt minimum

operation standards for institutions that include that the institution is financially sound and capable of fulfilling its commitments to students and the institution is maintained and operated in compliance with the law. Respondent failed to provide financial statements when requested by a Board representative. (Factual Finding 10.) Respondent submitted financial statements after hearing. (Factual Finding 18.) The statements do not appear to be accurate, including stating there are no pending legal proceedings. Cause exists to sustain Violation No. 3.

VIOLATION NO. 4: ANNUAL REPORT

6. Education Code section 94934 requires that an institution submit an annual report under penalty of perjury. California Code of Regulations, title 5, section 74110, requires that an institution include specified information in its annual report. As set forth in Factual Findings 13 and 14, cause exists to sustain Violation No. 4.

Citation Number 24250226

VIOLATION NO. 1: ANNUAL REPORT

7. Education Code section 94934 requires that an institution submit an annual report under penalty of perjury. California Code of Regulations, title 5, section 74110, requires that an institution include specified information in its annual report. As set forth in Factual Findings 13 and 14, cause exists to sustain Violation No. 1.

Fines and Orders of Abatement

8. Education Code section 94936, subdivision (b)(2), requires the Bureau to base administrative fines on the following factors: the nature and seriousness of the violation; the persistence of the violation; the good faith of the institution; the history of previous violations; and the potential harm to students. The minimum

administrative fine for each violation is \$50 and the maximum is \$5,000, with violations classified by their nature, "Class A" being the most serious, for institutions that have committed one or more prior, separate Class B violations. (Cal. Code Regs., tit. 5, § 75030.) "Class B" violations are less serious in nature that could have resulted in student harm, but with some degree of mitigation. (*Ibid.*) Respondent has received three prior citations. (Factual Finding 15.)

9. For Citation Number 2223141, the Bureau determined that all of the violations were Class A violations, except for the violation relating to STRF substantiating data, which was considered a Class B violation. The total administrative fine assessed was \$11,003. The Bureau issued an order of abatement for each violation, including ordering respondent to submit relevant documents and attestations that the violations were corrected and how they will comply with the regulations in the future. Respondent has a history of previous violations for similar issues and did not correct many of the violations despite having over two years prior to hearing to do so. These fines are within the range of authorized fines, and the amounts are reasonable. The orders of abatement are appropriate.

10. For Citation Number 24250226, the Bureau determined that the violation was a Class A violation, and assessed an administrative fine of \$5,000. The Bureau issued an order of abatement ordering respondent to submit the 2023 annual report. Again, respondent has a history of failing to submit its annual report and as of the date of hearing, no annual report for 2023 had been submitted to the Board. Respondent demonstrated that it is either unwilling or unable to comply with the law. These fines are within the range of authorized fines, and the amounts are reasonable. The orders of abatement are also appropriate.

ORDER

1. Citation Number 2223141, issued to respondent A-1 Truck Driving School Inc, is affirmed.

2. Citation Number 24250226, issued to respondent A-1 Truck Driving School Inc, is affirmed.

DATE: 12/16/2025



FRANCES M. VALDEZ

Administrative Law Judge

Office of Administrative Hearings