



BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
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CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Los Angeles Pacific College, Owner
Los Angeles Pacific College
3325 Wilshire Boulevard Suite 550
Los Angeles, CA 90010

INSTITUTION CODE: 1919521

CITATION NUMBER: 1920066

CITATION ISSUANCE/SERVICE DATE: September 4, 2019

DUE DATE: October 4, 2019

FINE AMOUNT: \$ 5250.00

ORDER OF ABATEMENT INCLUDED: Yes

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Discipline Manager of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Los Angeles Pacific College, Owner of Los Angeles Pacific College (Institution) located at 3325 Wilshire Boulevard, Suite 550, Los Angeles, CA 90010 pursuant to Business and Professions Code section 125.9; California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On June 12, 2019, the Bureau conducted an unannounced Compliance inspection at the Institution. During the inspection the Institution representative was unable to provide the supporting documentation to substantiate the data that was reported on the 1st Quarter - 2019 Student Tuition Recovery Fund (STRF) reporting form. The Institution representative stated that they did not think they had to maintain the data as they only have international students and not California residents.

In addition, five minor violations were unable to be cleared before the end of the inspection, the Institution was issued Notice to Comply #CU 1919521 0619 (NTC). The Institution was given thirty days from the date of the inspection to either remedy all violations listed in the NTC or submit a written Notice of Disagreement. A response was not received from the Institution within the 30 day timeframe.

VIOLATION

#	Below you will find the California Education Code (CEC) and/or Title 5 of the California Code of Regulations (5, CCR code) section(s) of law you are charged with violating.
1.	<p><u>Violation:</u> 5, CCR Section 76140 (a)(b) -Record Keeping Requirements <i>(a) A qualifying institution shall collect and maintain records of student information to substantiate the data reported on the STRF Assessment Reporting Form and records of the students' eligibility under the Fund. Such records shall include the following for each student:</i> <i>(1) Student identification number,</i> <i>(2) First and last names,</i> <i>(3) Email address,</i> <i>(4) Local or mailing address,</i> <i>(5) Address at the time of enrollment,</i> <i>(6) Home address,</i> <i>(7) Date enrollment agreement signed,</i> <i>(8) Courses and course costs,</i> <i>(9) Amount of STRF assessment collected,</i> <i>(10) Quarter in which the STRF assessment was remitted to the Bureau,</i> <i>(11) Third-party payer identifying information,</i> <i>(12) Total institutional charges charged, and</i> <i>(13) Total institutional charges paid.</i> <i>(b) The qualifying institution shall maintain the data required under this section in an electronic format</i> <i>that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.</i></p> <p>The Institution failed to collect and maintain student information to substantiate the data reported on the 1st Quarter – 2019 STRF Assessment form.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to submit an established policy, or procedure, of how the Institution will maintain compliance with 5, CCR section 76140.</p> <p><u>Assessment of Fine</u> The fine for this violation is \$250.00</p>
2.	<p><u>Violation:</u> CEC Section 94935(b)(h) – Notice to Comply <i>"(b) An institution that receives a notice to comply shall have no more than 30 days from the date of inspection to remedy the noncompliance."</i> <i>"(h) If an institution fails to comply with a notice to comply within the prescribed time, the bureau shall take appropriate administrative enforcement action."</i></p> <p>The Institution failed to respond to the NTC within the prescribed time of 30 days. The Institution did not submit proof compliance for the violations listed and did not submit a Notice of Disagreement.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to submit proof of compliance with all violations listed on the</p>

Notice to Comply.
Assessment of Fine The fine for this violation is \$5000.00
TOTAL ADMINISTRATIVE FINE DUE: \$5,250.00

ASSESSMENT OF A FINE

In accordance with CEC section 94936; and 5, CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fine in the amount of **\$5250.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

COMPLIANCE WITH ORDER OF ABATEMENT

In accordance with the provisions of CEC section 94936 and 5, CCR section 75020 the Bureau hereby 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 service of the Citation.**

APPEAL OF CITATION

You have the right to contest this Citation through an informal conference with the Bureau; 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, you must submit the 'Notice of Appeal of Citation – Request for Informal Conference **and/or** Administrative Hearing' form (enclosed) within **30 days** from the date of service of the Citation. *If you do not request an informal conference **and/or** an administrative hearing within 30 days from the service of the Citation, you will not be able to request one at a later time.*

Unless a written request for an informal conference **and/or** an administrative hearing is signed by you and delivered to the Bureau by **October 4, 2019**, you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **September 4, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **October 4, 2019**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.

Payment of the administrative fine and/or written request for appeal must be mailed to:

Cheryl Lardizabal, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

If you have any questions regarding this Citation, or desire further information, please contact Cheryl Lardizabal, Citation Analyst, at (916) 621-2591 or Cheryl.Lardizabal@dca.ca.gov.



Christina Villanueva
Discipline Manager



Date

Enclosures

- Applicable Laws Violated
- Statement of Rights: Appeal Process Information Sheet
- 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
- Notice to Comply # CU 1919521 0619