



CITATION ORDER

Citation Issued To: Cinta Aveda Institute 305 Kearny Street San Francisco, CA 94108 Institution Code: 87449475	Citation Number: 2324176
	Total Fine Amount: \$4,502.00
	Order of Abatement Included: Yes

Elizabeth Elias issues this citation in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

LICENSING HISTORY

1. On or about April 6, 2012, the Bureau granted an Accredited Institution Approval to Operate a Private Postsecondary Institution to Cinta Aveda Institute (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about May 30, 2026, unless renewed.

DISCIPLINE HISTORY

2. The Institution has the following discipline history:
 - [Citation No. 1920243, Decision and Order, October 5, 2021](#)
 - Evidence of Compliance and Fine Paid: February 10, 2022
 - [Citation No. 2021209, issued on March 15, 2021](#)
 - Evidence of compliance; citation satisfied June 18, 2021
 - [Citation No. 2223022, issued on August 31, 2022](#)
 - Evidence of compliance; citation satisfied November 3, 2022
 - [Modified Citation No. 2324164, issued on February 29, 2024](#)
 - Evidence of compliance; citation satisfied March 19, 2024

CITATION JURISDICTION

3. This administrative citation is issued to the Institution pursuant to California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

CAUSE FOR CITATION & ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT

4. The Institution is in violation of the following Bureau laws and regulations:

Violation #1:

5 CCR section 74112 (m)(1-9) – Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930 (e) – Maintenance Records

Cause for Citation: On May 26, 2023, Bureau staff requested the Institution's 2020/2021 School Performance Fact Sheet (SPFS) substantiating data in electronic format. The Institution failed to provide the requested records upon request.

On or about May 30, 2023, the Bureau conducted an Announced Compliance Inspection pursuant to CEC 94932.5 (a). The Institution's Director stated the Institution does not have SPFS substantiating data in electronic format and was not able to provide the required data to the Bureau by the end of the inspection day.

The Institution failed to provide the records upon immediate request and failed to maintain the supporting data electronically.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class A" violation. The Institution is issued a fine of \$2,501.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to correct the violation by providing an electronic copy of the template used by the Institution to document SPFS substantiating data, for the Bureau to verify the Institution is collecting the required data points pursuant to 5 CCR section 74112.

In addition, the Institution must submit a statement of attestation they have corrected the violation and will ensure that the supporting data for SPFS is maintained in electronic format and made immediately available to the Bureau for inspection. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #2:

5 CCR section 76140 (a)(7-13),(b) – Record-Keeping Requirements and 5 CCR section 71930 (e) – Maintenance Records

Cause for Citation: On May 11, 2023, Bureau staff requested the Institution's most recent Student Tuition Recovery Fund (STRF) substantiating data for the 1st quarter reporting period of 2023. On May 26, 2024, Bureau staff received the requested information. Bureau staff reviewed the substantiating data and found it was missing several of the required data points; specifically, the data points identified in 5 CCR section 76140 (a)(7-13) and (b).

On or about May 30, 2023, the Bureau conducted an Announced Compliance Inspection pursuant to CEC 94932.5 (a). During the inspection, Bureau staff asked the Director if the Institution had any additional STRF supporting data to provide. The Institution did not have any additional documentation to provide.

The institution failed to maintain record-keeping requirement for STRF.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class B" violation. The Institution is issued a fine of \$1,001.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to correct the violation by providing an electronic copy of the template used by the Institution to document its STRF substantiating documentation, for the Bureau to verify the Institution is collecting the required data points pursuant to 5 CCR section 76140.

In addition, the Institution must submit a statement of attestation they have corrected the violation and will ensure that the substantiating data for STRF is maintained in an electronic format and readily available to a Bureau representative upon request per 5 CCR 76140. The statement of attestation must be dated and signed by an authorized representative of the Institution.

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Violation #3: 5 CCR section 76130 – Collection and Submission of Assessments
Cause for Citation: The Institution failed to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and the collection of assessment fees as required for the 2 nd , 3 rd and 4 th quarter reporting period of 2023.
Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$1,000.00.
Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement: The Bureau orders the Institution to submit the STRF Assessment Reporting form and the collection of assessment fees as required for the 2 nd , 3 rd , and 4 th quarter reporting period of 2023.

COMPLIANCE WITH ORDER OF ABATEMENT

5. In accordance with the provisions of CEC section 94936 and 5 CCR section 75020, the Bureau 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 issuance of this citation. Evidence of compliance with the order of abatement may sent by mail or email to:
- Mail: Bureau for Private Postsecondary Education
Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834
 - Email: bppe.discipline@dca.ca.gov
 - In the subject line, please include the Institution name and citation number.

COMPLIANCE WITH ASSESSMENT OF FINE

6. In accordance with the provisions of CEC section 94936, and 5 CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fines in the total amount of \$4,502.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this citation unless an informal conference or hearing is requested. To assist the Bureau in processing the payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education
Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

7. You have the right to contest this citation through an informal conference with the Bureau pursuant to 5 CCR section 75020 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 may submit a written request to the Bureau or submit the enclosed *Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing* form within 30 days from the date of issuance of this citation.

Failure to submit a written request for an informal conference and/or administrative hearing within 30 days from the date of issuance of this citation will forfeit your ability to appeal the citation.

If a hearing is requested, you are not required to comply with this citation until a final order is entered against you.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

8. Pursuant to BPC section 125.9 and 5 CCR 75050, payment of fine and/or compliance with any order of abatement does not constitute an

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admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine.

BUREAU CONTACT INFORMATION

9. If you have any questions regarding this Citation, please contact Tessa Barron, Citation Analyst by email at Tessa.Barron@dca.ca.gov or by phone at (916) 574-7791.

“Original Signature on File”

4/11/2024

Elizabeth Elias
Enforcement Chief

Citation Date of Issuance

Enclosures:

- 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