



CITATION ORDER

<p>Citation Issued To: Marmel Beauty Academy 6444 Bellingham Ave North Hollywood, CA 91606</p> <p>Institution Code: 34070855</p>	<p>Citation Number: 2324184</p>
	<p>Total Fine Amount: \$2,002.00</p>
	<p>Order of Abatement Included: Yes</p>

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 November 18, 2019, the Bureau issued an Approval to Operate a Private Postsecondary Institution to Marmel Beauty Academy (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about November 17, 2024, unless renewed.

DISCIPLINE HISTORY

2. The Institution has no prior discipline history.

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 71920 (b)(5) – Student Records

Cause for Citation: On or about November 14, 2022, the Bureau received a complaint against the Institution. Evidence collected during the investigation determined that student records reviewed by the Bureau were missing student transcripts. Therefore, the Institution failed to comply with 5 CCR 71920 (b)(5).

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

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

The Bureau orders the Institution to ensure all student records follow the law pursuant to 5, CCR section 71920. The Institution must submit a statement of attestation they have corrected the violation and ensure that all student records contain a transcript. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #2:

5 CCR section 71920 (b)(9) – Student Records

Cause for Citation: On or about November 14, 2022, the Bureau received a complaint against the Institution. Evidence collected during the investigation determined that student records reviewed by the Bureau during the investigation did not include receipts of payment for the Manicuring program. Therefore, the Institution is in violation of 5 CCR 71920 (b)(9).

Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$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 ensure all student records follow the law pursuant to 5, CCR section 71920 (b)(9). The Institution must submit a statement of attestation they have corrected the violation and ensure that all student records contain a document showing the total amount of money received from or on behalf of the student and the date or dates on which the money was received. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #3:

5, CCR section 71735 (b) – Facilities and Equipment

Cause for Citation: On or about November 14, 2022, the Bureau received a complaint against the Institution. On or about April 12, 2023, the Bureau conducted a site visit to the Institution, to investigate the complaint. The Bureau determined that the Institution failed to maintain a working air conditioning unit in the manicuring room. Therefore, the Institution is in violation of 5, CCR Section 71735 (b).

Administrative Fine: Pursuant to 5, CCR 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 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to a statement of attestation they corrected the violation and will maintain adequate facilities and equipment pursuant to 5, CCR section 71735 (b) and provide service receipts that the air conditioning unit in the Manicuring room has been fixed.

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:

Citation Number: 2324184
Institution: Marmel Beauty Academy
Institution Code: 34070855

- Mail: Bureau for Private Postsecondary Education
Attn: Discipline Unit – Giovanni Alon
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 \$2,002.00 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 – Giovanni Alon
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.

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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 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 Giovanni Alon, Citation Analyst by email at Giovanni.Alon@dca.ca.gov or by phone at (916) 574-7703.

“Original Signature on File”

5/9/2024

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