



Bureau for Private Postsecondary Education

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR  
DEPARTMENT OF CONSUMER AFFAIRS • BUREAU FOR PRIVATE POSTSECONDARY EDUCATION  
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**APPEAL OF CITATION INFORMAL CONFERENCE**  
**DECISION: CITATION MODIFIED**

September 19, 2022

John Juarez, Owner  
Curtis Love, Owner  
CTM Welding, LLC  
1345 North Dynamics St., Unit A  
Anaheim, CA 92806

Date of Issuance	Citation Number	Institution Code
September 19, 2022	2122139	Unapproved

On August 17, 2021, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 2122139 (Citation) against John Juarez and Curtis Love, Owners of CTM Welding LLC (Institution). In attendance were Ebony Santee, Licensing Chief, Linh Nguyen, Bureau Legal Counsel, John Juarez, Owner, Curtis Love, Co-Owner, and Monte Brix, Attorney.

Pursuant to Business and Professions Code, section 148; California Education Code (CEC), section 94944; and Title 5 of California Code of Regulations (5, CCR), section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 2122139.

It is the decision of the Licensing Chief that on September 2, 2022, Citation No. 2122139 is modified and makes the following change(s):

VIOLATION CODE SECTIONS

#	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><b><u>Violation:</u></b></p> <p><b>CEC Section 94886. Approval to Operate Required</b></p> <p><i>"Except as exempted in Article 4 (commencing with Section 94874) or in compliance with the transition provisions in Article 2 (commencing with Section 94802), a person shall not open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter."</i></p> <p><b>CEC Section 94817.5. Approved to Operate or Approved</b></p>

"Approved to operate" or "approved" means that an institution has received authorization pursuant to this chapter to offer to the public and to provide postsecondary educational programs."

**CEC Section 94868. To Offer to the Public**

"To offer to the public" means to advertise, publicize, solicit, or recruit."

**CEC Section 94869. To Operate**

"To operate" means to establish, keep, or maintain any facility or location in this state where, or from which, or through which, postsecondary educational programs are provided."

On March 25, 2021, the Bureau received a complaint alleging that the institution was operating without Bureau approval.

On April 1, 2021, Bureau staff reviewed the institution's website and found the following courses offered:

- Shielded Metal Arc Welding (SMAW) for \$3,500.00
- Flux Cored Arc Welding (FCAW)/Gas Metal Arc Welding (GMAW) for \$4,000.00

On April 20, 2021, Bureau reviewed the Testing Agency Roster website for the Los Angeles Department of Building and Safety (LADBS) and confirmed that the Institution is an approved testing agency to conduct performance welder examinations.

On May 11, 2021, Bureau staff called LADBS to inquire about certifications and licensure and was informed by a Licensing Analyst for LADBS, that once a student passes the exam through an LADBS's approved school, LADBS sends the student their license within the two weeks.

On May 24, 2021, Bureau staff called the Institution and asked to speak with someone who handled complaints. An Institution representative stated they were unable to speak over the phone and provided an email address of [CTMweld@gmail.com](mailto:CTMweld@gmail.com) to Bureau staff to send the questions to.

On June 4, 2021, Bureau staff received an email from the Institution's Owner stating the Institution is a small training facility with 8 welding booths in the lab, where students receive one on one training for two to three hours each session, and students set their own schedule with the days they will attend. The Owner informed Bureau staff that the Institution does not have a school catalog since the Institution requires a personal meeting with each student before enrolling them in a course. The Owner explained that at the time of the student meeting, the Institution goes over in full detail their class descriptions and agreements.

The Owner stated that the prices listed on the Intuition's website are accurate and up to date. The Owner also stated that the Institution certifies anywhere from 50-70 students per year at average cost of \$3,500.00. The Owner provided a copy of the Institution's Enrollment Agreement.

On June 8, 2021, Bureau staff emailed the Owner inquiring whether union trade contractors pay for

the employees training or if the employees pay for training themselves.

On June 10, 2021, the Owner responded to the email stating that some contractors will pay directly or reimburse their employees upon receiving certification, while others provide a stipend to help with the cost of classes.

On August 26, 2021, Bureau staff emailed the Owner to gather additional information regarding how the Institution certifies its students and how often students pay directly for courses.

Between September 3, 2021, and January 18, 2022, Bureau staff attempted to follow up with the Owner regarding the email from August 26, 2021, with no success.

On February 1, 2022, Bureau staff spoke with the Owner and stated that they wanted to clarify what it means that the Institution certifies welders. The Owner responded that whether an employer sends an employee to the Institution, or a student enrolls independently, once they have completed their designated courses, the Institution provides the American Welding Society (AWS) certification. Bureau staff also inquired if the Owner knew what percentage of students enroll independently. The Owner stated that 80-85 percent of students pay themselves.

On March 21, 2022, the Bureau received a new complaint with the same allegations against the Institution. The complaint stated that the Institution was operating unapproved and is charging \$3,500.00 and \$4,000.00 for their programs.

On April 5, 2022, Bureau staff called and inquired with the Owner if the Institution offers training programs and accepts students with no experience, in which the Owner responded that they do.

Through the course of the investigation, it was determined that the Institution is operating without Bureau approval or a valid exemption.

**Order of Abatement:**

The Bureau orders that the Institution cease to operate as a private postsecondary educational institution unless the Institution qualifies for an exemption under CEC section 94874. The Institution must discontinue recruiting or enrolling students and cease all instructional services and advertising in any form or type of media, including [www.ctmwelding.com](http://www.ctmwelding.com), and any other websites not identified here that are associated with the Institution, until such time as an approval to operate is obtained from the Bureau. The Institution must disconnect all telephone service numbers including, but not limited to, (714) 577-9353, that are associated with the Institution until such time as an approval to operate is obtained from the Bureau. To comply with the Order of Abatement the Institution must submit a school closure plan to the Bureau pursuant to California Education Code section 94926. The Institution must provide a roster of each student currently enrolled at the Institution. The roster must include the names of the students, their contact information (including

	phone number, email address, and physical address), the programs in which they are enrolled, the amount paid for the programs.
	<p><b><u>New Order of Abatement:</u></b>  The Institution shall comply with all requests of the Order of Abatement in Citation No. 2122139 dated May 11, 2022 (listed above) unless the Institution qualifies for an exemption under CEC section 94874.</p>
	<p><b><u>Assessment of Fine</u></b>  The fine for this violation is <u>\$25,000.00</u></p> <p><b><u>Reason for modification:</u></b> New substantive facts were presented at the conference.</p> <p>The administrative fine for this violation has been modified from \$25,000.00 to <u>\$5,000.00</u>.</p>
	<b>TOTAL MODIFIED ADMINISTRATIVE FINE DUE: <u>\$5,000.00</u></b>

#### PENALTY – ASSESSMENT OF A FINE

**Payment of the administrative fine is due within 30 days from the date of this decision.** Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

Tessa Barron, Discipline Citation Program  
Bureau for Private Postsecondary Education  
1747 N. Market Blvd., Suite 225  
Sacramento, CA 95834

#### APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. You *do*, however, have the right to appeal this affirmed or modified Citation through an Administrative Hearing. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you do not wish to appeal this modified Citation you must withdraw your initial request for an Administrative Hearing, if one was made. Please complete and mail the enclosed Withdrawal – Request for Administrative Hearing within 30 Days of the date of this decision.

**EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT**

This modified Citation is effective on September 19, 2022. The payment is due by **October 19, 2022**.

Failure to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Modified 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 decision or desire further information, please contact Tessa Barron, Citation Analyst, at (916) 574-7791 or at [Tessa.Barron@dca.ca.gov](mailto:Tessa.Barron@dca.ca.gov).

"Original Signature on File"

"9/19/2022"

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**Christina Villanueva  
Discipline Manager**

**Date**

Enclosures

- Payment of Fine – Waiver of Appeal Rights
- Withdrawal- Request for Administrative Hearing
- Declaration of Service by Certified and First-Class Mail