



Bureau for Private Postsecondary Education
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MODIFIED CITATION:
ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Vanessa Vincent, Owner
Studio V
236 Oak Street
Brentwood, CA 94561

INSTITUTION CODE: Unapproved
CITATION NUMBER: 2021252
MODIFIED CITATION ISSUANCE/SERVICE DATE: February 18, 2022
MODIFIED DUE DATE: March 20, 2022
FINE AMOUNT: \$ 250.00
ORDER OF ABATEMENT INCLUDED: NO

Christina Villanueva issues this Modified 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 Modified Citation is hereby issued to Vanessa Vincent, Owner of Studio V (Institution) located at 236 Oak Street, Brentwood, CA 94561, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

The Bureau previously issued Citation: Assessment of Fine and Order of Abatement No. 2021252 to the Owner of the Institution on May 26, 2021, which was appealed by the Institution and subsequently withdrawn without prejudice on February 16, 2022.

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></p> <p>CEC Section 94886. Approval to Operate Required <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>CEC Section 94817.5. Approved to Operate or Approved <i>“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.”</i></p> <p>CEC Section 94868. To Offer to the Public</p>

"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 3, 2021, the Bureau received a complaint that the Institution was operating without Bureau approval.

On March 23, 2021, Bureau staff reviewed documentation submitted with the complaint, including the following information listed on the Institution's website and found the following courses being offered:

- 3-day Microblading Course for \$3,500
- Continuing Education Course for Certified Artists for \$1,500, or \$500 for current students

Bureau staff then reviewed the Institution's web page and found the following information pertaining to what is included with the 3-day Microblading course for \$3,500:

- 6 months of continuous online support
- Apprenticeship opportunities for select students
- An extensive starter kit (\$500 value)
- Lunch each day
- Access to members only Facebook Support Group
- Unique interaction and demonstration with a live model

In addition, Bureau staff found an advertisement for a Machine Shading Course for \$2,500 that requires previous enrollment in a fundamentals course. This course includes the following:

- Work is done on a live model
- A machine, needles, pigments, and an instruction book on techniques is provided
- There is a \$500 deposit require to reserve a space in this class

Between the dates of March 9, 2019 and March 4, 2021, the Bureau found that the Institution's social media pages (Facebook and Instagram) advertised the following:

Microblading Fundamentals Course scheduled for:

- April 26, 2019 through April 28, 2019
- July 26, 2019 through July 28, 2019
- February 5, 2021 through February 7, 2021
- April 9, 2021 through April 11, 2021

Furthermore, Bureau staff found a post dated September 18, 2020, that included a flyer advertising a microblading fundamentals course for \$2,500, as well as posts dated January 1, 2021, January 19, 2021, and March 4, 2021, that included a photo of the Institution's Owner

with students holding Certificates of Completion for the Microblading Fundamentals Course.

Moreover, a post, dated March 6, 2021, includes a photo of the Institution's owner providing a demonstration to students. The post includes information stating that class sizes are for 4 students maximum, a kit and a model are provided, and no certificates or licenses are needed to start their career.

On April 6, 2021, Bureau staff sent email correspondence to the Institution requesting confirmation of whether the Microblading Fundamentals Course is for beginners, if the price is always \$3,500, and if there are any discounts for a student who may have their own kit. The Institution's Owner replied with the following information:

- The next class will take place in July and dates will be announced soon.
- The first week after dates are announced there is a promotion when signing up for classes.
- The class is meant for beginners and the kit provided has everything needed to take the class.
- There is no discount for students bringing their own kit.

As of May 6, 2021, the Institution is continuing to offer courses over \$2,500 and is therefore 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 <http://www.microbladingbystudiov.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, (925) 435-9912, 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.

Reason for modification: New substantive facts were presented through the appeal process. The Order of Abatement has been satisfied.

Assessment of Fine

The fine for this violation is \$5,000.00

The administrative fine for this violation has been modified from \$5,000.00 to \$250.00.

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$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 **\$250.00** for the violations described above.

Payment of the administrative must be made to the Bureau by March 20, 2022.

PAYMENT OF ADMINISTRATIVE FINE

The Institution shall pay the civil penalty in the amount of \$250.00 by way of cashiers' check or money order. The payment shall be mailed to:

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

The civil penalty must be paid to the Bureau by March 20, 2022. Payment of an administrative citation is not an admission of guilt or liability.

The Institution gives up the right to an administrative hearing and all other rights accorded by the California Administrative Procedure Act and other applicable laws. The Institution's failure to pay the Modified Citation civil penalty pursuant to the terms of this settlement will result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau for Private Postsecondary Education may file an Amended Modified Citation for the failure of conditions required of the Institution.

CONTACT INFORMATION

If you have any questions regarding this Modified Citation, or desire further information, please contact Gabriella Perez, Citation Analyst, at Gabriella.Perez@dca.ca.gov.

"Original Signature on File"

"2/18/2022"

Christina Villanueva
Discipline Manager

Date

Enclosure

- Declaration of Service by Certified and First-Class Mail
- Payment of Fine