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8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 1006739

13 **A F INTERNATIONAL SCHOOL OF**
14 **LANGUAGES, INC.**
15 **3807 Wilshire Blvd, Suite #1140**
Los Angeles, CA 90010

ACCUSATION

16 **Mailing Address**
17 **P.O. Box 6223**
Thousand Oaks, CA 91359

18 **Approval to Operate Institution Code No.**
19 **1929231**

20 Respondent.

1 **PARTIES**

2 1. Deborah Cochrane (Complainant) brings this Accusation solely in her official
3 capacity as the Chief of the Bureau for Private Postsecondary Education, Department of
4 Consumer Affairs.

5 2. On or about January 29, 1991, the Bureau for Private Postsecondary Education issued
6 Approval to Operate Institution Code Number 1929231 to AF International School of Languages,
7 Inc. (Respondent), owned by Anna Gao. The Approval to Operate was in full force and effect at
8 all times relevant to the charges brought herein and will expire on December 31, 2027, unless
9 renewed.

10 **JURISDICTION**

11 3. This Accusation is brought before the Director of the Department of Consumer
12 Affairs (Director) for the Bureau for Private Postsecondary Education, under the authority of the
13 following laws. All section references are to the Education Code (Code) unless otherwise
14 indicated.

15 4. Business and Professions Code section 118, subdivision (b), provides that the
16 suspension, expiration, surrender, or cancellation of a license shall not deprive the Director of
17 jurisdiction to proceed with a disciplinary action during the period within which the license may
18 be renewed, restored, reissued or reinstated.

19 5. Section 94875 states in pertinent part:

20 The bureau shall regulate private postsecondary educational institutions
21 through the powers granted, and duties imposed, by this chapter. In
22 exercising its powers, and performing its duties, the protection of the
23 public shall be the bureau's highest priority. If protection of the public is
24 inconsistent with other interests sought to be promoted, the protection of
25 the public shall be paramount.

26 6. Section 94877 provides in pertinent part:

27 (a) The bureau shall adopt and shall enforce regulations to implement
28 this chapter pursuant to the Administrative Procedure Act (Chapter 3.5
(commencing with Section 11340) of Part 1 of Division 3 of Title 2 of
the Government Code).

1 (b) The bureau shall develop and implement an enforcement program,
2 pursuant to Article 18 (commencing with Section 94932) to implement
3 this chapter. . . .

4 7. Section 94932 provides in pertinent part:

5 The bureau shall determine an institution's compliance with the
6 requirements of this chapter. The bureau shall have the power to require
7 reports that institutions shall file with the bureau in addition to the
8 annual report, to send staff to an institution's sites, and to require
9 documents and responses from an institution to monitor compliance.
10 When the bureau has reason to believe that an institution may be out of
11 compliance, it shall conduct an investigation of the institution. If the
12 bureau determines, after completing a compliance inspection
13 or investigation, that an institution has violated any applicable law or
14 regulation, the bureau shall take appropriate action pursuant to this
15 article.

16 8. Section 94933 provides in pertinent part:

17 The bureau shall provide an institution with the opportunity to remedy
18 noncompliance, impose fines, place the institution on probation, or
19 suspend or revoke the institution's approval to operate, in accordance
20 with this article, as it deems appropriate based on the severity of an
21 institution's violations of this chapter, and the harm caused to students.

22 **REGULATORY PROVISIONS**

23 9. California Code of Regulations, title 5, section 75050 states in pertinent part:

24 . . .

25 (b) Failure of an applicant or institution issued an approval to operate to
26 abate the violation or to pay the fine within the time allowed is a ground
27 for denial or discipline of an approval to operate.

28 **COST RECOVERY**

10. Section 94937, subdivision (c), provides that the Bureau may seek reimbursement
costs of investigation and enforcement pursuant to Business and Professions Code section 125.3.

11. Business and Professions Code section 125.3 provides, in pertinent part, that the Board
may request the administrative law judge to direct a licensee found to have committed a violation
or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation

1 and enforcement of the case, with failure of the licensee to comply subjecting the license to not
2 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may
3 be included in a stipulated settlement.

4 **FACTUAL ALLEGATIONS**

5 **Citation Number #2021081**

6 12. On September 10, 2020, the Bureau issued Citation No. 2021081 to Respondent for
7 failing to submit Student Tuition Recovery Fund (STRF) Assessment Reporting Forms and
8 applicable assessments collected from students for the fourth quarter of 2019, and first and second
9 quarters of 2020; and failing to submit the 2020 Annual Fee.

10 13. The Citation ordered the Institution to submit the delinquent STRF Assessment
11 Reporting Forms for the fourth quarter of 2019 and first and second quarter of 2020 and the STRF
12 Assessments collected from students, submit the 2020 Annual Fee and all late payment penalty
13 fees, and issued an Administrative Fine of \$50.00. Respondent was required to comply with the
14 Order of Abatement and pay all fines and fees within 30 days from the date the citation was
15 served.

16 14. On December 22, 2020, February 4, 2021, and March 11, 2021, respectively, the
17 Bureau mailed Demand for Payment of Fine and Order of Abatement letters to the Institution.

18 15. On April 30, 2021, the Bureau received payment of the Administrative Fine in the
19 amount of \$50.00.

20 16. On May 5, 2021, the Bureau mailed a letter acknowledging receipt of the
21 Administrative Fine payment and requesting compliance with the Orders of Abatement.

22 17. On June 17, 2021, August 27, 2021, and October 8, 2021, respectively, the Bureau
23 mailed Demand for Order of Abatement Letters to the Institution.

24 18. To date, the Institution has failed to submit the required Orders of Abatement for
25 Citation No. 2021081, thereby failing to comply with the Citation.

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1 incorporates, the allegations set forth in above paragraphs 19 through 22, as though set forth in
2 full herein.

3 **PRAYER**

4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Director of the Department of Consumer Affairs issue a
6 decision:

- 7 1. Revoking Approval to Operate Institution Code Number 1929231, issued to A F
8 International School of Languages, Inc., owned by Anna Gao;
9 2. Ordering A F International School of Languages, Inc. to pay the Bureau for Private
10 Postsecondary Education the reasonable costs of the investigation and enforcement of this case,
11 pursuant to Business and Professions Code section 125.3; and,
12 3. Taking such other and further action as deemed necessary and proper.

13
14 DATED: “6/8/2022”

15 “Original signature on file”
16 DEBORAH COCHRANE
17 Chief
18 Bureau for Private Postsecondary
19 Education
20 Department of Consumer Affairs
21 State of California
22 *Complainant*

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