

**BEFORE THE DIRECTOR
DEPARTMENT OF CONSUMER AFFAIRS
BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

DEEP CREEK CONSTRUCTION SCHOOL, CHRISTOPHER CASEY, OWNER

8280 Deep Creek Road

Apple Valley, CA 92308

Institution Code: 3604681

Case No.: BPPE21-550

OAH Case No.: 2022090402

Respondent.

DECISION AND ORDER

The attached Proposed Decision of the Administrative Law Judge is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on June 22, _____, 2023.

It is so ORDERED May 19 _____, 2023.

“Original Signature on File”

RYAN MARCROFT
DEPUTY DIRECTOR, LEGAL AFFAIRS DIVISION
DEPARTMENT OF CONSUMER AFFAIRS

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Agency Case No. BPPE21-550

OAH No. 2022090402

PROPOSED DECISION

Administrative Law Judge (AU) Chantal M. Sampogna, Office of Administrative Hearings, State of California, heard this matter by videoconference on February 6, 2023.

Deputy Attorney General Gillian E. Friedman appeared on behalf of complainant Deborah Cochrane, Chief of the Bureau for Private Postsecondary Education (Bureau), Department of Consumer Affairs (Department).

Respondent Deep Creek Construction School, Christopher Casey, Owner, was represented by Mr. Casey.

Testimony and documents were received in evidence. The record was closed and the matter was submitted for decision on February 6, 2023.

SUMMARY

Respondent holds an Approval to Operate Deep Creek Construction School. As a private postsecondary school, respondent is required to pay an annual fee to the Bureau, but it failed to pay its 2021 annual fee. Before filing the Accusation in this matter, the Bureau issued a Citation and Order of Abatement to respondent directing it to pay its annual fee, but respondent did not comply. Based on respondent's failure to comply with the Citation and Order of Abatement, complainant seeks an order for: (1) revocation or suspension of respondent's Approval to Operate; (2) respondent to pay the Bureau reasonable costs of the investigation and enforcement in this matter; and (3) respondent to pay the Bureau outstanding fines ordered in the Citation and Order.

Respondent claimed it is no longer on an "eligibility" list and that without placement on this list respondent is ostensibly shut down and should not, therefore, be required to pay an annual fee. However, the evidence established respondent's Approval to Operate has been active since its issuance and respondent has not closed its school. Accordingly, respondent is required to pay its 2021 annual fee and reasonable costs of enforcement to the Bureau. Complainant did not establish respondent's conduct provides cause to revoke, suspend, or place on probation respondent's Approval to Operate.

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FACTUAL FINDINGS

Jurisdiction

1. On May 19, 2000, the Bureau for Private Postsecondary and Vocational Education (BPPVE) issued respondent Approval to Operate Institute Code Number 3604681. Respondent was approved to offer non-degree programs in Heavy Equipment Operating Engineer and in Master Electrician Helper. Respondent's Master Electrician Helper program was discontinued on July 12, 2018.

2. Effective July 1, 2007, Chapter 7 (commencing with section 94700) of Part 59 of Division 10 of Title 3 of the Education Code, authorizing the BPPVE, was repealed. (Undesignated statutory references are to the Education Code.) Pursuant to section 94802, an institution that had a valid approval to operate on June 30, 2007, issued by the former BPPVE maintained that approval under the California Private Postsecondary Education Act of 2009 (PPE Act) (§ 94800 et seq.). An approval to operate issued by the BPPVE was valid for three calendar years after the expiration date of the approval, and was thereafter subject to renewal. Respondent has maintained its Approval to Operate since May 19, 2000, and it is scheduled to expire on July 12, 2023.

3. On July 20, 2020, complainant Deborah Cochrane, acting in her official capacity as Chief of the Bureau, issued the Accusation against respondent.

Citation Number 2122080

4. On April 1, 2021, the Bureau sent respondent an Invoice for Individual Campus for Institutions 2021 Annual Fee. Included on the invoice were instructions on how to determine the annual fee owed, in consideration of the institution's gross

revenue multiplied by .55 percent, and a notice that the fee cannot be lower than \$2,500; the bottom portion of the invoice provided space for respondent to calculate and report the amount of the annual fee owed. The invoice informed respondent payment was due by May 1, 2021; a first delinquency notice would be sent by May 31, 2021, if payment was not received; and a second delinquency notice would be sent by July 30, 2021, if payment was not received.

5. On June 15, 2021, the Bureau sent respondent a First Delinquency Notice. Included with this notice was a separate instructions sheet, the Bureau's Instructions for Calculations of the Annual Instructional Fee (Instructions). The Instructions informed respondent, among other things, how to calculate the annual fee owed and that failure to timely pay the annual fee could result in the Bureau initiating proceedings to revoke respondent's Approval to Operate.

6. On August 16, 2021, the Bureau sent respondent a Second Delinquency Notice which, in addition to the Instructions, informed respondent that a fee not paid on or before the 90th calendar day after the due date for the payment would be subject to a 35 percent late payment penalty fee.

7. On October 21, 2021, the Bureau issued Citation Number 2122080 and Order of Abatement (Citation and Order) to respondent for failing to submit the annual fee and late payment penalty fee for 2021. The Citation and Order did not assess an amount of the annual fee or late penalty fee, but ordered respondent to "submit its annual fees for calendar year 2021 in accordance with [California code of Regulations, title 5 (Regulations), section 74006, subdivisions (a) and (b), and Education Code section 94930.5, subdivision (g)]. In addition, the Institution must pay all late payment penalty fees." (Exh. 4, p. A46.) The Bureau could not determine the amount of the annual fee or of the late penalty fee respondent actually owed because respondent

had not completed the calculations to determine its annual fee, i.e., respondent had not reported its gross revenue and then determined the .55 percent annual fee or 35 percent late penalty fee.

8. The Bureau sent respondent Demand for Order of Abatement letters on November 24, 2021, and on January 21 and February 25, 2022, each of which demanded respondent present evidence to the Bureau of compliance with the Citation and Order.

9. On April 20, 2022, respondent's owner, Christopher Casey, sent an email to the Bureau stating respondent did not need to comply with the Citation and Order because the Bureau removed respondent from an "eligibility" list in approximately October 2020, and asserting respondent was, therefore, due a refund from the Bureau.

10. To date, respondent has failed to comply with the Citation and Order in that respondent has not paid the annual fee or the late payment penalty fee owed by respondent for 2021.

11. Sean McClary, Bureau Fiscal Analyst, and Margaret Christian, Bureau Compliance Unit Technician, testified on behalf of complainant. Mr. McClary confirmed respondent had yet to pay the 2021 annual fee or late penalty fee, and respondent continues to have an active Approval to Operate. Mr. McClary further confirmed this was respondent's first and only documented instance of a failure to pay the required annual fee.

12. Ms. Christian's duties include processing private postsecondary school closures. In April 2022 she reviewed information from respondent which included a post-it note indicating respondent had closed effective September 2021. Ms. Christian called Mr. Casey and informed him of the school closure process and sent him a copy

of the required form to close Deep Creek Construction School if respondent so chose. However, respondent has not submitted any closure documentation and is, therefore, still approved to operate, and is subject to the Bureau's annual fee requirement.

13. The Bureau did not allege or present evidence establishing respondent has students, or had them during 2021, or that respondent's conduct resulted, or may have resulted in, harm to students.

Respondent's Evidence

14. Mr. Casey is the owner of respondent and of Casey Construction Company. Mr. Casey has a contractor's B license (General Building Contractor), C10 license (Electrical Contractor), and a HAZ license (Hazardous Waste Contractor).

15. Mr. Casey has a master's degree in Vocational Education from Cal State San Bernardino and a bachelor's degree in business management from Northern Illinois University, Dekalb, Illinois. He served in the U. S. Army as a Special Forces combat soldier and was the light weapons leader on his A-team. He is presently a disabled veteran with a 50 percent disability rating.

16. As owner of his construction company, Mr. Casey evaluates and prepares new employees to become plumbers by training them to the level of a Master Plumber and helps them achieve the required competence to pass the State of California's test to function as a plumbing contractor.

17. Mr. Casey acknowledged respondent had not paid the 2021 annual fee or a late penalty fee. However, he denied respondent was responsible for such payment, claiming that during 2021 respondent was not on the "eligible" list, referencing a list of schools with approvals to operate. Mr. Casey asserted this list is used by the State of

California and county agencies, such as the Employment Development Department (EDD), to select schools for potential students. Mr. Casey added respondent has not worked with the EDD's San Bernadino office for the past 10 years due to a falling out he had with the office.

18. Mr. Casey further denied respondent was responsible for the requested fees because the Bureau was not in existence between 2000 and 2004. He explained respondent submitted its application for an Approval to Operate to the BPPVE and that it was the BPPVE that issued respondent its Approval to Operate. Mr. Casey denied ever filing an application with the Bureau, and claimed, therefore, respondent is not subject to the Bureau's fees. However, pursuant to the jurisdictional information contained in Factual Finding 2, respondent's Approval to Operate transitioned from the jurisdiction of the BPPVE to that of the Bureau and respondent's Approval to Operate has been active since May 19, 2000.

19. Finally, Mr. Casey asserted the Bureau locked him out from using its portal, and claimed the Bureau refused to respond to his phone calls or mail. Mr. Casey testified, though, that even had the Bureau sent him mail he would have discarded it because respondent is no longer on the "eligibility" list. He acknowledged respondent continues to be open and operates, but noted he only provides instruction to Mr. Casey's construction employees and not to the public. Mr. Casey did not elaborate on the subjects of his training, the number of employees or students he trains, or the costs, if any, he charges his employees or students for the training he provides.

20. Respondent did not submit evidence substantiating or corroborating Mr. Casey's testimony. For example, respondent did not submit an "eligibility" list or any evidence affirming Mr. Casey was unable to access the Bureau's portal. Although Mr. McClary and Ms. Christian had heard generally of an "eligibility" list, neither knew of

any such list issued by the Bureau and neither knew of any effect not being on the purported list would have on a private postsecondary school's requirement to pay its annual fee.

Costs of Enforcement

21. Pursuant to section 94937 and Business and Professions Code section 125.3, complainant requests costs of enforcement in the total amount of \$4,997.50. This amount consists of costs incurred by the Office of the Attorney General (AG) and for which the Bureau has been billed.

22. In support of the AG costs for which the Bureau has been billed, complainant introduced a February 1, 2023 Certification of Prosecution Costs: Declaration of Gillian E. Friedman, which requests costs incurred and anticipated through February 1, 2023. Attached to Ms. Friedman's Certification is a printout of a Matter Time Activity by Professional Type, which describes tasks performed by the AG on this matter through February 1, 2023, and for which the Bureau has been billed the total sum of \$4,997.50.

23. Costs of investigation and enforcement in the total amount of \$4,997.50 are reasonable in light of the issues and evidence involved in this matter.

LEGAL CONCLUSIONS

Authority

1. The Bureau is governed by the PPE Act. (§ 94800.)

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2. The Bureau regulates private postsecondary educational institutions through the powers granted, and duties imposed, by the PPE Act. In exercising its powers, and performing its duties, the protection of the public is the Bureau's highest priority. If protection of the public is inconsistent with other interests sought to be promoted, the protection of the public is paramount. (§ 94875.)

3. The Bureau must identify unlicensed institutions, identify material or repeated violations of the PPE Act and its regulations, and take all appropriate legal action. (§ 94877, subd. (d).)

4. The Bureau must provide an institution with the opportunity to remedy noncompliance, impose fines, place the institution on probation, or suspend or revoke the institution's approval to operate, in accordance with the PPE Act, as it deems appropriate based on the severity of an institution's violations, and the harm that results or may result to students. (§ 94933.)

5. Upon a finding an institution has violated the PPE Act or its implementing regulations, found at California Code of Regulations, title 5 (Regulations), section 74000 et seq., the Bureau must issue a citation to the institution. (§ 94936, subd. (a).) The citation may contain an order of abatement and an administrative fine not to exceed \$5,000 for each violation. (*Id* at subd. (b).)

Standard and Burden of Proof

6. Complainant has the burden of proving the allegations in the Accusation by a preponderance of the evidence. (Evid. Code, §§ 115, 500.) "Preponderance of the evidence" means evidence that has more convincing force than that opposed to it. (*People ex re! Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

Annual Fee

7. Each institution approved to operate pursuant to the PPE Act must remit to the Bureau an annual fee for each campus designated by the institution as a main campus location in California in an amount equal to .55 percent of the campus' total gross revenue derived from students in California, but not less than \$2,500. (§ 94930.5, subds. (d)(1) & (g); Regulations, § 74006.)

8. An institution must pay the fees established by the PPE Act. (Regulations, § 74000, subd. (a).)

9. A fee not paid on or before the 90th calendar day after the due date for payment of the fee is subject to a 35 percent late payment penalty fee. (§ 94931, subd. (b); Regulations, § 74000, subd. (c).)

10. Complainant established by a preponderance of the evidence respondent violated the PPE Act and its regulations. Respondent failed to remit to the Bureau an annual fee in an amount equal to .55 percent of the respondent's total gross revenue, but not less than \$2,500, within timelines required by the PPE Act in violation of sections 94930.5, subdivisions (d)(1) and (g), and 94931, subdivision (b), and Regulations sections 74000, subdivisions (a) and (c), and 74006. (Factual Findings 3-11, 15.)

Failure to Comply with the Citation and Order

11. A bureau may establish, by regulation, a system for the issuance to a licensee of a citation which may contain an order of abatement or an order to pay an administrative fine assessed by the bureau in violation of the applicable licensing act or any regulation adopted pursuant thereto. (Bus. & Prof. Code, § 125.9, subd. (a).)

Failure of a licensee to pay a fine or comply with an order of abatement, or both, within 30 days of the date of the assessment or order may result in disciplinary action being taken by the bureau, or commission. (*Id* at subd. (b)(S).)

12. Failure of an institution issued an approval to operate to abate a violation or to pay a fine within the time allowed is a ground for denial or discipline of an approval to operate. (Regulations, § 75050, subd. (b).)

13. Complainant established by a preponderance of the evidence cause exists to discipline respondent's Approval to Operate because respondent failed to comply with the Citation and Order. (Regulations, § 75050, subd. (b); Factual Findings 3-11, 17.)

Assessment of Discipline

STATUTORY LAW

14. Pursuant to section 94937, the Bureau may place an institution on probation or may suspend or revoke an institution's approval to operate for: (1) obtaining an approval to operate by fraud; or (2) for a material violation or repeated violations of the PPE Act or regulations adopted pursuant to the PPE Act that have resulted, or may result, in harm to students. "Material Violation" includes, but is not limited to, "misrepresentation, fraud in the inducement of a contract, and false or misleading claims or advertising, upon which a student reasonably relied in executing an enrollment agreement and that resulted, or may result, in harm to the student." (§ 94937, subd. (a)(2).)

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REGULATORY LAW

15. If an institution fails to pay any fee and any penalty fees timely, the Bureau may initiate proceedings to revoke the institution's approval to operate for failure to pay fees. (Regulations, § 74000, subd. (e)(1).)

16. Regulations, section 75100, provides the following:

(a) The Bureau may suspend, revoke or place on probation with terms and conditions an approval to operate.

(b) "Material violation" as used in section 94937 of the [Education] Code includes committing any act that would be grounds for denial under section 480 of the Business and Professions Code. ,r . . . ,r

17. Business and Professions Code section 480 provides a Bureau may deny an application for a license if the applicant has been convicted of a crime or has been subject to formal discipline.

DISCIPLINARY GUIDELINES

18. In reaching a decision on a disciplinary action under the administrative adjudication provisions of the Administrative Procedure Act (Government Code section 11400 et seq.), the Bureau must comply with the "Disciplinary Guidelines" (December 2010) (Guidelines}, which are incorporated by reference in Regulations, section 75500.

Deviation from the Guidelines and orders, including the standard terms of probation, is appropriate where the Bureau in its sole discretion determines that the facts of the

particular case warrant such deviation, e.g., the presence of aggravating or mitigating factors; age of the case; discipline history; evidentiary issues.

(Regulations, § 75500.)

19. The Guidelines provide that for a violation of Regulations, section 74000, a failure to pay a fee, the maximum penalty is revocation, and the minimum penalty is a stayed revocation and three years' probation with standard conditions. The Guidelines do not address an institutions violation of Regulations, section 75050, subdivision (b), an institution's failure to timely abate a violation.

Analysis

20. While the PPE Act and section 125.9 provide authority for the Bureau to discipline respondent's Approval to Operate, the PPE Act limits the grounds to revoke, suspend, or place on probation respondent's Approval to Operate. The PPE Act only provides authority to take such action if the institution obtained the approval to operate by fraud, or if it committed a material violation or repeated violations of the PPE Act or regulations adopted pursuant to the PPE Act that have resulted in harm to students. (Legal Conclusion 12.) Complainant failed to establish by a preponderance of the evidence cause to revoke, suspend, or place on probation respondent's Approval to Operate.

21. Complainant alleged one cause for discipline, "Failure to Comply with the Citation." (Exh. 1, p. A14.) Complainant did not allege or establish by a preponderance of the evidence respondent obtained its approval to operate by fraud, the first form of conduct provided by the PPE Act that can result in license revocation, suspension, or probation. (§94937, subd. (a)(1).) Similarly, complainant did not allege or establish by a

preponderance of the evidence respondent committed a material violation, the second form of conduct provided by the PPE Act that can result in revocation, suspension, or probation (§94937, subd. (a)(2); Regulations, § 75100, subd. (b)). Complainant did not allege or establish respondent or Mr. Casey committed, for example, misrepresentation or fraud in the inducement of a contract that resulted, or may have resulted, in harm to the students (§ 94937, subd. (a)(2); or that respondent or Mr. Casey committed a crime, had been subject to formal discipline, or committed another form of material violation, that resulted, or may have resulted in, harm to students (Regulations, § 75100, subd. (b)).

22. Complainant established by a preponderance of the evidence respondent committed three violations of the PPE Act (1) respondent failed to pay its 2021 annual fee; (2) respondent failed to pay the late penalty fee; and (3) respondent failed to comply with the Citation and Order. (Factual Findings 3-11.) While these three violations constitute multiple violations, complainant only alleged one cause for discipline, respondent's failure to comply with the Citation and Order. However, even considering the three violations of the PPE Act and its regulations and concluding they constitute multiple violations, complainant did not allege or establish respondent's violations of the PPE Act and its regulations resulted, or may have resulted in, harm to students. As provided in Factual Finding 13, complainant did not allege or present evidence establishing respondent has students, or had students during 2021, or that respondent's conduct resulted, or may have resulted in, harm to any students. Accordingly, complainant failed to establish by a preponderance of the evidence the third form of conduct provided by the PPE Act that can result in license revocation, suspension, or probation - a material violation or multiple violations of the PPE Act or its regulations that resulted, or may have resulted in, harm to students.

23. Complainant cited Regulations, section 74000, subdivision (e), in its Instructions, and relies on Regulations, section 75050, subdivision (b), in the Accusation in support of its request for revocation, suspension, or probation. Similarly, the Guidelines provide that if an institution fails to pay a fee, the maximum penalty is revocation, and the minimum penalty is a stayed revocation and three years' probation with standard conditions. However, while the Regulations and Guidelines provide that revocation, suspension, or probation is a warranted outcome for an institution's failure to pay a fine, the PPE Act does not authorize these levels of discipline for the violations committed by respondent. Rather, the PPE Act limits these disciplinary actions to circumstances where an institution obtained the approval to operate by fraud, or if it committed a material violation or repeat violations of the PPE Act or its regulations that have resulted in harm to students. To the extent the Regulations are in conflict with a statute of the PPE Act, the statute prevails. (See *Texas v. United States*, (5th Cir. 2007) 497 F.3d 491.) Accordingly, the facts in this case do not warrant suspension, revocation, or probation as discipline of respondent's Approval to Operate under the PPE Act. (Factual Findings 3-19.)

24. While complainant did not establish cause to revoke, suspend, or place on probation respondent's Approval to Operate, complainant established by a preponderance of the evidence cause to discipline respondent's Approval to Operate. (Legal Conclusions 10-13.) Based on the limits of the forms of discipline which may be imposed, and in consideration of the applicable law, regulations, and the Guidelines, the facts of this case warrant affirmation of the Citation and Order and the following additional disciplinary orders: (1) respondent is ordered to pay the Bureau \$2,500, the minimal annual fee due for 2021, within 30 days of the effective date of this decision; (2) respondent is ordered to pay the Bureau \$1,625 (35 percent of the \$2,500 2021 minimal annual fee due), within 30 days of the effective date of this decision; (3)

respondent is ordered to provide the Bureau a true and accurate reporting of its 2021 gross revenue within 30 days of the effective date of this decision; (4) based on respondent's reported gross revenue for 2021, respondent must calculate any outstanding annual fee owed to the Bureau for 2021 and must pay any outstanding 2021 annual fee to the Bureau within 30 days of the effective date of this decision; and (5) based on respondent's reported gross revenue for 2021, respondent must calculate any outstanding late fee penalty owed to the Bureau and must pay that amount to the Bureau within 30 days of the effective date of this decision.

Award of Costs

25. In any order issued in resolution of a disciplinary proceeding, at the request of the Bureau, the AU may direct the licentiate found to have committed a violation to pay a sum not to exceed the reasonable costs of investigation and enforcement. A certified copy of the actual costs signed by the Bureau or its designated representative is prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the AG. (Bus. & Prof. Code, § 125.3, subds. (a), (c); see Cal. Code Regs., tit. 1, § 1042, subd. (b).)

26. The Bureau must exercise its discretion to reduce or eliminate cost awards in a manner that will ensure registrants and licentiates with potentially meritorious claims or defenses are not deterred from exercising their right to a hearing, and must not assess the full costs of investigation and prosecution when to do so would unfairly penalize the licensee who has committed some misconduct, but who has used the hearing process to obtain dismissal of other charges or a reduction in the severity of the discipline imposed. (See *Zuckerman v. State Board of Chiropractic*

Examiners (2002) 29 Cal.4th 32, 45.) Factors to be considered in determining costs sought pursuant to section 125.3 include: the licentiate's success in getting the charges dismissed or reduced; the licentiate's subjective good faith belief in the merits of his or her position; whether the licentiate raised a colorable challenge to the proposed discipline; the licentiate's financial ability to pay; and whether the scope of the investigation was appropriate in light of the alleged misconduct. (Id)

27. The declaration signed by Ms. Friedman constitutes prima facie evidence of the reasonableness of the total costs incurred by the Bureau in the amount of \$4,997.50. (Bus. & Prof. Code, § 125.3, subd. (c).) (Factual Findings 21-23.) While revocation, suspension, and probation were not imposed, discipline against respondent's Approval to Operate has been imposed as described in Legal Conclusion 23 and as provided in the Order that follows. Respondent failed to rebut the reasonableness of the costs and failed to raise colorable challenges to the allegations or evidence as to respondent's ability to pay. Accordingly, respondent is ordered to pay reasonable costs in the total amount of \$4,997.50 as set forth in the Order below.

ORDER

Respondent Deep Creek Construction School, Christopher Casey, Owner, is ordered to comply with the following orders:

(1) Respondent is ordered to pay the Bureau \$2,500, the minimal annual fee due for 2021, within 30 days of the effective date of this decision.

(2) Respondent is ordered to pay the Bureau \$1,625, the minimal late penalty fee for 2021, within 30 days of the effective date of this decision.

(3) Respondent is ordered to provide the Bureau a true and accurate reporting of its 2021 gross revenue within 30 days of the effective date of this decision by truthfully and accurately completing the bottom portion of the Bureau's Invoice for Individual Campus for Institutions 2021 Annual Fee (Invoice) and submitting the completed Invoice to the Bureau.

(4) Based on respondent's reported gross revenue for 2021 reported on the Invoice, respondent must calculate any outstanding annual fee owed to the Bureau for 2021 and must pay any outstanding 2021 annual fee to the Bureau within 30 days of the effective date of this decision.

(5) Based on respondent's reported gross revenue for 2021 reported on the Invoice, respondent must calculate any outstanding late fee penalty owed to the Bureau and must pay that amount to the Bureau within 30 days of the effective date of this decision.

(6) Respondent is ordered to pay the Bureau reasonable costs in the amount of \$4,997.50 within 30 days of the effective date of this decision.

DATE: 03/08/2023

"Original Signature on File"
[Chantal Sampogna \(Mar 8, 2023 12:45 PST\)](#)

CHANTAL M. SAMPOGNA

Administrative Law Judge

Office of Administrative Hearings