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

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12 In the Matter of the Statement of Issues
Against:
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14 **MOLER BARBER COLLEGE,**
KENO MODICA, OWNER
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16 **Applicant for Renewal of Approval to**
Operate and Offer Educational Programs
for Non-Accredited Institutions
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18 **Institution Code: 3400961**
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Respondent.

Case No. 1000396

OAH No. 2015100780

**STIPULATED SURRENDER OF
APPROVAL TO OPERATE AND
ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Joanne Wenzel ("Complainant") is the Chief of the Bureau for Private Postsecondary Education ("Bureau"), Department of Consumer Affairs. She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Stephanie Alamo-Latif, Deputy Attorney General.

1 Approval to Operate and Order may not be altered, amended, modified, supplemented, or
2 otherwise changed except by a writing executed by an authorized representative of each of the
3 parties.

4 14. In consideration of the foregoing admissions and stipulations, the parties agree that
5 the Director may, without further notice or formal proceeding, issue and enter the following
6 Order:

7 **ORDER**

8 IT IS HEREBY ORDERED that any and all right, title, claim, interest, or ownership
9 interest, possessed by Respondent Keno Modica, owner of Moler Barber College, or which he
10 may be entitled to now, or in the future, in Approval to Operate No. 1000396, issued to Keno
11 Modica, owner of Moler Barber College, is relinquished and surrendered by Respondent, and
12 accepted by the Director of Consumer Affairs.

13 1. The surrender of any and all right, title, claim, interest, or ownership interest, if any,
14 in Approval to Operate No. 1000396 by Respondent Keno Modica, owner of Moler Barber
15 College, or which he may be entitled to now, or in the future, in Approval to Operate No.
16 1000396, and the acceptance of the surrendered rights, if any, in the Approval by the Bureau shall
17 constitute the imposition of discipline against Respondent. This stipulation constitutes a record of
18 the discipline and shall become a part of Respondent's license history with the Bureau for Private
19 Postsecondary Education.

20 2. Respondent shall lose any and all rights and privileges, if any, and all right, title,
21 claim, interest and/or ownership which he has in Approval to Operate No. 1000396 on the
22 effective date of the Director's Decision and Order.

23 3. If Respondent should ever apply for a new license, certificate, registration, approval,
24 institution code number, or any type of authorization whatsoever, with the Bureau or for a related
25 endorsement with the Board of Barbering and Cosmetology in the State of California, then the
26 Bureau shall treat it as a new application for licensure. Respondent shall comply with all laws,
27 regulations, and procedures for licensure in effect at the time the application is filed. All charges
28 and allegations contained in Statement of Issues No. 1000396 shall be deemed to be true, correct,

1 proven and admitted by Respondent for the purpose of any Statement of Issues or any other
2 proceeding seeking to deny or restrict licensure.

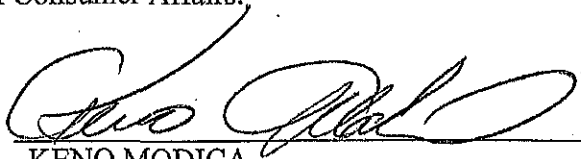
3 4. Respondent admits that he failed to submit Annual Fees to the Bureau by October 1,
4 2012, and October 1, 2013, October 1, 2014, and October 1, 2015. Respondent Keno Modica,
5 owner of Moler Barber College, is liable for payment of the delinquent Annual Fees to the
6 Bureau prior to issuance of any approval for a new license, certificate, registration, approval,
7 institution code number, or any type of authorization whatsoever, by the Bureau.

8 6. Respondent admits that he failed to submit to the Bureau, the assessment collected from
9 students for the Student Tuition Recovery Fund ("STRF") for the fourth quarter in 2013, and for
10 all quarters in 2014. Respondent is liable for payment of the full amount of the delinquent STRF
11 assessments to the Bureau prior to issuance of a new license, certificate, registration, approval,
12 institution code number, or any type of authorization whatsoever, by the Bureau.

13 ACCEPTANCE

14 I have carefully read the Stipulated Surrender of Approval to Operate and Order. I
15 understand the stipulation and the effect it will have on any right, title, claim, interest or
16 ownership in Approval to Operate No. 1000396. I enter into this Stipulated Surrender of
17 Approval to Operate and Order voluntarily, knowingly, and intelligently, and agree to be bound
18 by the Decision and Order of the Director of Consumer Affairs.

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20 DATED: 02-16-16


21 KENO MODICA
22 OWNER OF MOLER BARBER COLLEGE
23 Respondent
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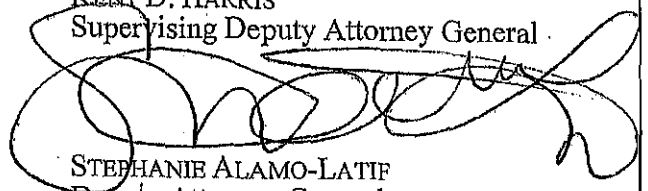
ENDORSEMENT

The foregoing Stipulated Surrender of Approval to Operate and Order is hereby respectfully submitted for consideration by the Director of Consumer Affairs.

Dated: 2/16/2016

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
KENT D. HARRIS
Supervising Deputy Attorney General



STEPHANIE ALAMO-LATIF
Deputy Attorney General
Attorneys for Complainant

SA2015103476/

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

In the Matter of the Statement of Issues

Case No. 1000396

Against:

OAH No. 2015100780

**MOLER BARBER COLLEGE; KENO MODICA,
Owner**

ORDER OF DECISION

Applicant for Renewal of Approval to Operate
and Offer Educational Programs For Non-
Accredited Institutions

Institution Code: 3400961

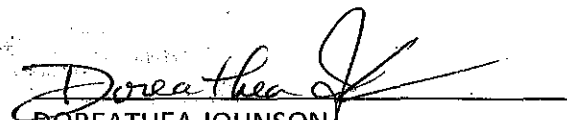
Respondent.

DECISION

The attached Stipulated Surrender of Approval to Operate and Order is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above entitled matter.

The Decision shall become effective APR 22 2016.

DATED: MAR 15 2016


DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs