

CIVIL PENALTY ASSESSMENT

FACILITY NAME	DATE
FACILITY ADDRESS	
CITY STATE ZIP CODE	
LICENSEE(S)/OPERATOR	FACILITY #:

LICENSED FACILITY

Civil penalties can be assessed against any facility which fails to take corrective action within prescribed time periods, per California Health and Safety Code Sections 1548, 1568.0822, 1569.49, 1596.99, and 1597.58. You are hereby notified that a civil penalty has been assessed.

The above facility has been found in violation of the California Code of Regulations, Title 22, Divisions 6, and/or 12, Section(s) _____ and/or California Health and Safety Code, Division 2, Chapters 3, 3.01, 3.2, 3.4, and 3.5, and 3.6. Section(s) _____

A Licensing Report (LIC 809 or LIC 9099) was issued on _____ giving notice that failure to correct the above violation(s) would result in a civil penalty. DATE

- Because you failed to make the corrections specified on the LIC 809, a civil penalty of \$ _____ is assessed for the period from _____ through _____.
DATE DATE
- A civil penalty of \$50 per violation per day, up to a maximum of \$150 per violation per day will be assessed. This will continue until correction(s) is made to comply with the licensing laws, regulations, and approval of the California Department of Social Services or authorized licensing agency.
- Because you repeated a violation of the same subsection within a 12-month period, an immediate civil penalty of \$ _____ is assessed for the period from _____ through _____.
DATE DATE
- All Facility Types Except Child Care Centers: **Second citation** within a 12 month period; an immediate civil penalty of \$150 per violation; then \$50 per day per violation until corrections are made.
- Child Care Centers Only: **Second citation** within a 12-month period; an immediate civil penalty of \$150 per violation; then \$150 per day per violation until corrections are made.
- Residential Care Facility for the Elderly (RCFE), Residential Care Facility for the Chronically Ill (RCF-CI): **Third citation** within a 12-month period; an immediate civil penalty of \$1,000 per violation; then \$100 per day per violation until corrections are made.
- Family Child Care Home (FCCH), Child Care Center (CCC), Community Care Facility (CCF): **Third citation** within 12-month period; an immediate civil penalty of \$150 per violation; then \$150 per day per violation until corrections are made.
- FCCH and CCC only: Second or subsequent violation for failure to allow parent or guardian to enter and inspect facility or for retaliation/discrimination stemming from a request to enter or lodge a complaint. A civil penalty of \$50 per violation.

Total Penalty Assessed \$ _____

YOU WILL RECEIVE AN INVOICE IN THE MAIL.

DO NOT SEND MONEY UNTIL YOU RECEIVE YOUR INVOICE

NAME OF LICENSING PROGRAM ANALYST	NAME OF FACILITY REPRESENTATIVE/TITLE	
SIGNATURE OF LICENSING PROGRAM ANALYST	SIGNATURE OF FACILITY REPRESENTATIVE	
SUPERVISOR REVIEW/SIGNATURE (FOR INTERNAL USE ONLY)	TITLE	DATE

INSTRUCTIONS FOR COMPLETING THE FACILITY CIVIL PENALTY ASSESSMENT FORM FOR LICENSED FACILITIES

EXPLANATION TO LICENSEE

A visit was conducted at the above facility by a Licensing Evaluator. During that visit one or more violations of licensing statutes and regulations were identified. A Facility Evaluation Report (LIC 809) was issued establishing the dates by which corrections must have been made.

Since you have failed to make all of the required corrections, you must pay the civil penalty described on the front of this form until you have confirmed to the satisfaction of the California Department of Social Services that each of the violations has been corrected.

IT IS YOUR RESPONSIBILITY to notify the licensing agency in writing or by the telephone when the required corrections have been made. If you wish to request a review of the Civil Penalty Assessment, contact the designated reviewer in writing at the licensing office within 10 days.

Payment is due when billed and the check(s) shall be made payable to the "California Department of Social Services". Please write the facility number and invoice number on your check. **DO NOT SEND CASH.**

NOTE: Civil penalties may be imposed in addition to the penalties of suspension or revocation as provided in the California Health and Safety Code Sections 1548, 1568.0822, 1569.49, 1596.99, and 1597.58. In addition to the imposition of civil penalties, the California Health and Safety Code Sections 1550, 1569.50 and 1596.885 also authorizes the suspension or revocation of a license based on licensing violations.

APPEAL RIGHTS

The applicant/licensee has a right without prejudice to discuss any disagreement concerning the proper application of licensing laws and regulations, with the licensing agency. When civil penalties are involved, the licensee may request a formal review by the licensing agency to amend, extend the due date, or to dismiss the penalty. Requests for civil penalty appeal must be in writing, must be postmarked within 10 days of receipt of this form, and must be addressed to the Regional Office of jurisdiction over the facility. The agency has a duty to review the facts presented without prejudice, within a 10-day period. Upon review of the facts upon which the appeal is based, the agency may amend any portion of the action taken, or may dismiss the violation. The licensing agency review of an appeal may be conducted based upon information provided in writing by the licensee. The licensee may request an office interview to provide additional information. The licensee will be notified in writing of the results of the agency review.