

81006 Operation Without a License

(a)

An unlicensed community care facility is providing care and supervision as defined in Section 81001(u)(2), the facility is in violation of Health and Safety Code section(s) 1503.5 and/or 1508 unless exempted from licensure pursuant to California Code of Regulations section 81007.

(b)

If the facility is alleged to be in violation of Health and Safety Code section(s) 1503.5 and/or 1508, the licensing agency shall conduct a site visit and/or evaluation of the facility pursuant to Health and Safety Code section 1538.

(c)

If the facility is operating without a license, the licensing agency shall issue a notice of operation in violation of law and shall refer the case for criminal prosecution and/or civil proceedings.

(d)

The licensing agency shall have the authority to issue an immediate civil penalty pursuant to Section 81058 and Health and Safety Code section 1547.

(e)

Sections 81006(c) and (d) shall be applied pursuant to Section 1549 of the Health and Safety Code.

(f)

The licensing agency shall notify the appropriate placement or protective service agency if either of the following conditions exists: (1) There is an immediate threat to the clients' health and safety. (2) The facility does not submit an application for licensure within 15 calendar days of being served a notice of operation in violation of law.

(1)

There is an immediate threat to the clients' health and safety.

(2)

The facility does not submit an application for licensure within 15 calendar days of being served a notice of operation in violation of law.