

## **86006 Operation Without a License**

### **(a)**

An unlicensed facility, that is providing care and supervision as defined in section 86001(u)(2), is in violation of Sections 1503.5 and/or 1508 of the Health and Safety Code unless exempted from licensure pursuant to section 86007.

### **(b)**

If the facility is alleged to be in violation of Sections 1503.5 and/or 1508 of the Health and Safety Code, 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 86058 and section 1547 of the Health and Safety Code.

### **(e)**

Sections 86006(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 exist: (1) There is an immediate threat to the participants' 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 participants' 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.