

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, ALEXANDRIA DIVISION

New Concept Massage & Beauty School, Inc. v. National Accrediting
Commission of Career Arts and Sciences, Inc.

New Concept · No. 1:26-cv-354 (RDA/WEF) · Decided May 13, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia addresses New Concept Massage & Beauty School, Inc.’s motion for a preliminary injunction against the withdrawal of its accreditation by NACCAS. The court finds that Plaintiff is likely to succeed on its due process claim because NACCAS continued sending notices to the deceased owner’s address and provided no effective avenue for stakeholders to respond during probate proceedings. The court grants the motion in part, requiring restoration of Plaintiff’s accreditation during the pending appeal in accordance with NACCAS’s rules, applicable regulations, and federal law.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Alexandria Division
WRITING FOR THE COURT	Rossie D. Alston, Jr.
JURISDICTION	United States District Court for the Eastern District of Virginia, Alexandria Division
DECIDED	May 13, 2026
DOCKET	1:26-cv-354 (RDA/WEF)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought a preliminary injunction requiring an accrediting agency to restore its accreditation and refrain from withdrawing or otherwise acting against the accreditation without due process. The court previously granted a temporary restraining order in part, reopening the appeal period. After discovery and an evidentiary hearing, the court ruled on the preliminary-injunction motion.
STANDARD OF REVIEW	A preliminary injunction requires consideration of the likelihood of irreparable harm, likelihood of harm to the defendant, likelihood of success on the merits, and the public interest. In reviewing an accrediting agency's decision, courts defer substantially to the agency

	and generally ask whether the decision was arbitrary and unreasonable, including whether the agency provided a fair procedure and followed its internal rules.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion and order; precedential status unknown
PARTIES	New Concept Massage & Beauty School, Inc. v. National Accrediting Commission of Career Arts and Sciences, Inc.

TOPICS

injunctions

procedural due process

due process

civil procedure

equitable relief

PRACTICE AREAS

civil procedure

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remedies

QUESTIONS PRESENTED

1. Whether New Concept was likely to succeed on its due-process challenge to NACCAS's withdrawal of accreditation when NACCAS knew the school's owner had died and an ownership dispute was pending but continued sending notices to the deceased owner's address.
2. Whether the four preliminary-injunction factors supported temporarily restoring New Concept's accreditation during its appeal.
3. Whether NACCAS was required under applicable statute, regulations, and its own rules to maintain the school's accreditation during the pendency of the appeal.
4. Whether the previously posted \$5,000 security bond should remain in place under Federal Rule of Civil Procedure 65(c).

HOLDINGS

1. New Concept demonstrated a likelihood of success on its claim that NACCAS denied due process by proceeding with accreditation revocation without providing effective notice, an opportunity to be heard, or a meaningful opportunity to appeal while knowing that the school's owner was deceased and ownership was subject to probate proceedings.
2. The preliminary-injunction factors supported limited relief temporarily restoring New Concept's accreditation during the pendency of its appeal.
3. NACCAS was required to restore New Concept's accreditation temporarily during the pendency of its appeal, in accordance with the applicable statute, regulations, and NACCAS's rules, until a final decision on appeal, arbitration, or the merits of the federal action.
4. The previously posted \$5,000 bond would remain posted as security for the preliminary injunction.

KEY QUOTATIONS

“The failure to provide notice to Plaintiff’s stakeholders during the pendency of the probate process – despite knowledge of Ms. Vazquez’s passing and knowledge of the existence of the probate proceedings – as well as the failure to provide an avenue by which Plaintiff could act while proceedings against it commenced reflect a violation of principles of due process.”

“Specifically, the Court will grant Plaintiff’s Motion for a Preliminary Injunction only insofar as it seeks restoration of Plaintiff’s accreditation pending appeal in accordance with Defendant’s Rules, the applicable regulations, and statute.”

FACTUAL BACKGROUND

New Concept had been accredited by NACCAS for approximately twenty years, and its accreditation enabled its students to receive Title IV federal student aid. After the school's sole owner and president died, ownership became subject to a Florida probate dispute, while NACCAS continued sending accreditation notices to the deceased owner's former home address and treated the school as unable to act without an owner or court-appointed personal representative. NACCAS withdrew the school's accreditation for failure to submit audited financial statements, despite knowing of the owner's death and the ownership dispute, and the school contended that it did not receive effective notice or a meaningful opportunity to respond and appeal.

PROCEDURAL HISTORY

New Concept filed a due-process action and moved for a temporary restraining order after NACCAS withdrew its accreditation. The court granted the TRO in part by reopening the appeal period and later denied reconsideration. Following limited discovery, supplemental briefing, and an April 29, 2026 hearing, the court granted the preliminary injunction in part, denied it in part as moot or otherwise, denied NACCAS's motion in limine, and continued the previously posted \$5,000 bond.

DISPOSITION

other

CASES CITED

- Perry v. Judd, 471 Fed. App'x 219, 223 (4th Cir.)
- Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 20, 22 (2008)
- Hughes Network Sys. v. InterDigital Commc'ns Corp., 17 F.3d 691, 693 (4th Cir.)
- Wilfred Acad. of Hair and Beauty Culture v. S. Ass'n of Coll. and Schools, 957 F.2d 210, 214 (5th Cir.)
- Medical Inst. of Minnesota, 817 F.2d 1310, 1314 (8th Cir.)
- St. Andrews Presbyterian Coll. v. S. Ass'n of Coll. & Schools, 2007 WL 4219402, at *3 (M.D.N.C. Nov. 29, 2007)
- Parsons College v. North Central Ass'n of Colleges and Secondary Schools, 271 F. Supp. 65, 73 (N.D. Ill.)
- Professional Massage Training Center, Inc. v. Accreditation Alliance of Career Schools and Colleges, 781 F.3d 161 (4th Cir.)
- Auburn Univ. v. S. Ass'n of Colleges and Schools, Inc., 489 F. Supp. 2d 1362, 1374 (N.D. Ga.)

- *Edwards Waters College, Inc. v. S. Ass'n of Colleges and Schools, Inc.*, 2005 WL 6218035, at *11 (M.D. Fla. Mar. 11, 2005)
- *Florida College of Business v. Accrediting Council for Independent Colleges and Schools*, 954 F. Supp. 256, 260 (S.D. Fla.)
- *Hampton University v. Accreditation Council for Pharmaceutical Education*, 611 F. Supp. 2d 557, 569 (E.D. Va.)
- *Dekalb County School District v. Georgia State Board of Education*, 2013 WL 791266, at *7 (N.D. Ga. Mar. 4, 2013)
- *Professional Massage Training Center, Inc. v. Accreditation Alliance of Career Schools and Colleges*, 951 F. Supp. 2d 851, 854 (E.D. Va.)
- *Hoechst Diafoil Co. v. Nan Ya Plastics Corp.*, 174 F.3d 411, 421 (4th Cir.)

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