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

In the Matter of the Citation Against:

Case No. 1002674

**SAN FRANCISCO INSTITUTE OF
ARCHITECTURE; FRED STITT, OWNER**

OAH No. 2020040544

Respondent.

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about July 15, 2019, Complainant Dr. Michael Marion, Jr., in his official capacity as the Chief of the Bureau for Private Postsecondary Education (Bureau), Department of Consumer Affairs, filed Affirmed Citation No. 1819122 (Affirmed Citation) against San Francisco Institute of Architecture; Fred Stitt, Owner (Respondent) before the Director of the Department of Consumer Affairs. (Affirmed Citation attached as Exhibit A.)

2. On or about July 15, 2019, Respondent was served with the Affirmed Citation.

3. On or about March 20, 2019, Respondent signed and returned a Notice of Appeal of Citation, with regard to the Affirmed Citation, requesting a hearing in this matter.

4. On or about April 24, 2020, a Notice of Hearing was served by mail at Respondent's addresses of record which were and are as listed below. The Notice of Hearing informed them that an administrative hearing in this matter was scheduled for December 7, 2020.

3075 Adeline St.
Berkeley, CA 94703

PO Box 2590
Alameda, CA 94501

207 N. Service Rd., E.
Box 18
Ruston, LA 71270.

1 5. Service of the Hearing was effective as a matter of law under the provisions of
2 Government Code section 11505(c) and/or Business and Professions Code section 124.

3 6. The matter was called for hearing at the date, time and location set forth in the Notice
4 of Hearing. The assigned Administrative Law Judge (ALJ) found that the service of the Notice of
5 Hearing on Respondent was proper. There was no appearance by or on behalf of Respondent. A
6 default was declared and on motion of counsel for Complainant, the matter was remanded to the
7 Bureau under Government Code section 11520. (The ALJ's Findings and Declaration of Default;
8 Order of Remand is attached as Exhibit B.)

9 7. Government Code section 11506(c) states, in pertinent part:

10 (c) The respondent shall be entitled to a hearing on the merits if the respondent
11 files a notice of defense . . . and the notice shall be deemed a specific denial of all
12 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
13 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
14 discretion may nevertheless grant a hearing.

15 8. California Government Code section 11520(a) states, in pertinent part:

16 (a) If the respondent either fails to file a notice of defense . . . or to appear at
17 the hearing, the agency may take action based upon the respondent's express
18 admissions or upon other evidence and affidavits may be used as evidence without
19 any notice to respondent

20 9. Pursuant to its authority under Government Code section 11520, and after having
21 reviewed the Notice of Hearing and proof of service, the Director finds that Respondent is in
22 default. The Director will take action without further hearing and, based upon evidence provided
23 by Complainant contained in the attached Default Decision Investigatory Evidence packet,
24 upholds the issuance of Citation No. 1819122.

25 **DETERMINATION OF ISSUES**

26 1. Based on the foregoing findings of fact, Respondent San Francisco Institute of
27 Architecture; Fred Stitt, Owner, is subject to discipline.

28 2. The agency has jurisdiction to adjudicate this case by default.

3. The Director of the Department of Consumer Affairs is authorized to uphold
Affirmed Citation No. 1819122 issued against Respondent based on the following violations

1 alleged in the Affirmed Citation, which are supported by the evidence contained in the Default
2 Decision Investigatory Evidence Packet in this case:

3 a. On or about May 12, 2017, the Bureau was informed that the Respondent is
4 operating without Bureau approval.

5 b. Respondent has an active website under www.SFIA.net, which advertises the
6 following degree programs/prices: Green MBA Master of Business Administration in
7 Sustainability, \$4,800; Master of Science in Green Building, \$4,800; Master of Project
8 Management, 3,600; Master of Architecture, \$2,800-\$12,950; Master of Ecological Design,
9 \$2,400-\$7,500; Bachelor of Science in Architecture \$4,200; Bachelor of Science in Ecological
10 Design, \$3,600; Associate of Arts in Architecture \$4,200; and an Associate of Arts in Ecological
11 Design, \$3,600.

12 c. Respondent is offering all courses as online distance learning only. However,
13 the Respondent's website advertises a California presence with a mailing address of P.O. Box
14 2590, Alameda, California 94501 and a local phone number of (510) 523-5174.

15 d. Respondent continues to offer programs through its website. In doing so,
16 Respondent violated California Education Code section 94944 and California Code of
17 Regulations, title 5, section 75020.

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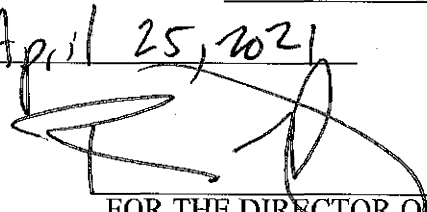
ORDER

IT IS SO ORDERED that Affirmed Citation No. 1819122, issued to Respondent San Francisco Institute of Architecture; Fred Stitt, Owner, is upheld.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on JUN 02 2021.

It is so ORDERED April 25, 2021



FOR THE DIRECTOR OF THE DEPARTMENT
OF CONSUMER AFFAIRS
BUREAU FOR PRIVATE POSTSECONDARY
EDUCATION

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Attachment: Exhibit A - Citation
Exhibit B - Findings and Declaration of Default; Order of Remand