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

In the Matter of the Accusation Against:	Case No. 1005602
PANAMERICAN LEARNING CENTER, RICHARD ROSSI, OWNER **2225 W. Commonwealth Ave., Suite 103** **Alhambra, CA 91803**	**DEFAULT DECISION AND ORDER**
Institution Code No. 50123433	[Gov. Code, §11520]
Respondent.	

FINDINGS OF FACT

1.   On or about August 25, 2021, complainant Deborah Cochrane, in her official capacity as the Chief of the Bureau for Private Postsecondary Education, Department of Consumer Affairs, filed Accusation No. 1005602 against Panamerican Learning Center, Richard Rossi (respondent) before the Director of the Department of Consumer Affairs. (Accusation attached as Exhibit A.)

2.   On or about June 15, 2016, the Bureau for Private Postsecondary Education (Bureau) issued Approval to Operate Institution Code Number 50123433 to respondent. The Approval to

Operate was in full force and effect at all times relevant to the charges brought herein, expired on or about June 15, 2021, and has not been renewed.

3.   On or about August 31, 2021, respondent was served by Certified and First Class Mail copies of the Accusation No. 1005602, STATEMENT TO RESPONDENT; ACCUSATION; NOTICE OF DEFENSE (2); REQUEST FOR DISCOVERY; DISCOVERY STATUTES at respondent's address of record which is required to be reported and maintained with the Bureau. Respondent's address of record was and is:

2225 W. Commonwealth Ave., Suite 103

Alhambra, CA 91803.

4.   Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11506(c).

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

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

6.   The Bureau takes official notice of its records and the fact that Respondent failed to file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No. 1005602.

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

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

8.   Pursuant to its authority under Government Code section 11520, the Director finds respondent is in default. The Director will take action without further hearing and, based on the relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter, as well as taking official notice of all the investigatory reports, exhibits and statements contained therein on file at the Director's offices regarding the allegations contained in Accusation No.

2

1005602, finds that the charges and allegations in Accusation No. 1005602, are separately and

2 severally, found to be true and correct by clear and convincing evidence.

3 9. The Director finds that the actual costs for Investigation and Enforcement are4

$3,068.75 as of September 27, 2021

5 **DETERMINATION OF ISSUES**

6 1. Based on the foregoing findings of fact, respondent Panamerican Learning Center,

7 Richard Rossi has subjected his Institution Code No. 50123433 to discipline.

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

9 3. The Director of the Department of Consumer Affairs is authorized to revoke

10 respondent's Approval to Operate Institution Code Number 50123433 based upon the following

11 violations alleged in the Accusation which are supported by the evidence contained in the Default

12 Decision Investigatory Evidence Packet in this case:

13 a. Cal. Code of Regulations, Title 5, section 75050, subdivision (b) [Compliance with

14 Citations].

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

3

1

ORDER

2   IT IS SO ORDERED that Institution Code No. 50123433, issued to respondent

3 Panamerican Learning Center, Richard Rossi, is revoked.

4   Pursuant to Government Code section 11520, subdivision (c), respondent may serve a

5 written motion requesting that the Decision be vacated and stating the grounds relied on within

6 seven (7) days after service of the Decision on respondent. The agency in its discretion may

7 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

8   This Decision shall become effective on "November 11, 2021"   .

9   It is so ORDERED   "October 5, 2021"

10

11

12   _____

                                                       "Original signature on file"
13   RYAN MARCROFT
                                                 DEPUTY DIRECTOR
14   LEGAL AFFAIRS DIVISION
                                                 THE DEPARTMENT OF CONSUMER AFFAIRS

15

16

17 PANAMERICAN DEFAULT DECISION AND ORDER.DOCX DOJ

   Matter ID:LA2021601949
18

   Attachment:
19
   Exhibit A: Accusation

20

21

22

23

24

25

26

27

28
                                                 4