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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 Accusation Against:
**INTERNATIONAL PUBLIC SAFETY
UNITED**
738 S. Waterman Avenue, No. C 36
Sam Bernardino, CA 92408

Approval to Operate No. 29927731

Respondent.

Case No. 1004430
OAH No. 2019120510
DEFAULT DECISION AND ORDER
[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about October 10, 2019, Complainant Dr. Michael Marion, Jr., in his official capacity as the Chief of the Bureau for Private Postsecondary Education, Department of Consumer Affairs, filed Accusation No. 1004430 against International Public Safety United (Respondent) before the Director of Consumer Affairs. (Accusation attached as Exhibit A.)

1 2. On or about December 2, 2014, the Bureau for Private Postsecondary Education
2 (Bureau) issued Approval to Operate No. 29927731 to Respondent. The Full Approval for all
3 approved programs expired on December 2, 2019.

4 3. On or about October 15, 2019, Respondent was served with Accusation No. 1004430.

5 4. On or about November 8, 2019, Respondent, through counsel, Victor Korechoff, Esq.
6 returned a Notice of Defense, requesting a hearing in this matter.

7 5. On July 14, 2020, a Notice of Continued Hearing was served by mail and email at the
8 address provided by Respondent/Appellant/Petitioner in the Notice of Defense. The Notice of
9 Continued Hearing informed them that an administrative hearing in this matter was scheduled for
10 August 5-6, 2020.

11 6. Service of the Accusation was effective as a matter of law under the provisions of
12 Government Code section 11505(c) and/or Business and Professions Code section 124.

13 7. The matter was called for hearing at the date, time and location set forth in the Notice
14 of Continued Hearing. The assigned Administrative Law Judge found that the service of the
15 Notice of Hearing on Respondent was proper. There was no appearance by or on behalf of
16 Respondent. A default was declared and on motion of counsel for Complainant, the matter was
17 remanded to the Bureau under Government Code section 11520.

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

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

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

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

29 10. Pursuant to its authority under Government Code section 11520, the Director finds
30 Respondent is in default. The Director will take action without further hearing and, based on the
31 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,

1 as well as taking official notice of all the investigatory reports, exhibits and statements contained
2 therein on file at the Director's offices regarding the allegations contained in Accusation No.
3 1004430, finds that the charges and allegations in Accusation No. 1004430, are separately and
4 severally, found to be true and correct by clear and convincing evidence.

5 11. The Director finds that the actual costs for Investigation and Enforcement are
6 \$9,272.50 as of July 10, 2020.

7 DETERMINATION OF ISSUES

8 1. Based on the foregoing findings of fact, Respondent International Public Safety
9 United has subjected its Approval to Operate No. 29927731 to discipline.

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

11 3. The Director of Consumer Affairs is authorized to revoke Respondent's Approval to
12 Operate based upon the following violations alleged in the Accusation, which are supported by
13 the evidence contained in the Default Decision Investigatory Evidence Packet in this case:

14 a. Respondent's Approval to Operate is subject to revocation under Education Code
15 section 94891 subdivision (b), 94934 subdivision (a) (1)-(9) and 5, CCR section 74110 (a)-(d) in
16 that the Respondent failed to submit its Annual Report for the year 2017.

17 b. Respondent's Approval to Operate is subject to revocation under Education Code
18 section 94930.5 subdivision (d)(1)(A)(g) and Title 5, CCR section 74006, in that Respondent
19 failed to pay its annual fees and the delinquency fees for the year 2018.

20 c. Respondent's Approval to Operate is subject to revocation under Education Code
21 section 94891 subdivision (b), and 5, CCR section 76130 subdivision (b) in that the Respondent
22 did not submit its STRF assessment forms to the Bureau for the period: 4th Quarter of 2014, 4th
23 Quarter of 2017, and 1st through 4th Quarters of 2018.

24 d. As disciplinary considerations, on or about May 17, 2018, Respondent was issued
25 Citation number 1718043. The Citation ordered the Institution to submit its delinquent Annual
26 Report, STRF, Annual Fees and pay a fine assessment of \$5050.00. Respondent did not abate the
27 Citation nor pay the fine.

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1 e. As further disciplinary consideration, on February 20, 2019, Respondent was issued
2 Citation number 1819119. The Citation ordered the Institution to contact the Bureau's
3 Compliance Unit within 30 days of the Citation and pay a fine of \$100.00. Respondent did not
4 abate the Citation nor pay the fine.

5 **ORDER**

6 IT IS SO ORDERED that Approval to Operate No. 29927731, issued to Respondent
7 International Public Safety United, is revoked.

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

12 This Decision shall become effective on NOV 08 2020.

13 It is so ORDERED October 1, 2020

14 

15 _____
16 RYAN MARCROFT
17 DEPUTY DIRECTOR,
18 LEGAL AFFAIRS DIVISION
19 DEPARTMENT OF CONSUMER AFFAIRS

20 63493783.DOCX
21 DOJ Matter ID:LA2019502782

22 Attachment:
23 Exhibit A: Accusation
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