

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

In the Matter of the Statement of Issues Against:)	
)	
CALIFORNIA SECURITY TRAINING)	
ACADEMY, INC., DBA CSTA;)	Case No. 1001508
)	OAH No. 2016080491
)	
Applicant for Renewal of Approval to Operate)	
and Offer Educational Programs For)	DEFAULT DECISION AND ORDER
Non-Accredited Institutions)	
)	[Gov. Code, § 11520]
Institution Code: 3402941)	
)	
Respondent.)	
<hr/>		

FINDINGS OF FACT

1. On or about June 23, 2016, Complainant Joanne Wenzel, in her official capacity as the Chief of the Bureau for Private Postsecondary Education, Department of Consumer Affairs, filed Statement of Issues No. 1001508 against California Security Training Academy (Respondent) before the Director of Consumer Affairs.
2. On or about March 30, 2012, Respondent filed a renewal application dated March 29, 2012, with the Director of Consumer Affairs to obtain an Approval to operate and offer educational programs for non-accredited institutions.
3. On or about February 22, 2016, the Bureau issued a letter denying Respondent's renewal application for an Approval to operate and offer educational programs for non-accredited institutions. On or about March 8, 2016, Respondent appealed the Bureau's denial of their renewal application and requested a hearing.
4. On or about June 27, 2016, an employee of the Department of Justice, served by Certified and First Class Mail a copy of the Statement of Issues No. 1001508, Statement to Respondent, Request for Discovery, Copies of Government Code section 11507.5, 11507.6 and 11507.7, Applicant's Notice of Designation of Counsel, and Applicant's Notice of Withdrawal of Request for Hearing to Respondent's address on the application form, which was and is:

California Security Training Academy
6130 Freeport Blvd., Ste. 202
Sacramento, CA 95822

A copy of the Statement of Issues is attached as exhibit A, and is incorporated herein by reference.

5. Service of the Statement of Issues was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

6. On or about March 8, 2016, Respondent appealed the denial of their application and requested a hearing in this action. A Notice of Hearing was served by Certified and First Class Mail at Respondent's address on the application and it informed them that an administrative hearing in this matter was scheduled for January 3, 2017. Respondent failed to appear at that hearing.

7. Business and Professions Code section 118 states, in pertinent part:

(a) The withdrawal of an application for a license after it has been filed with a board in the department shall not, unless the board has consented in writing to such withdrawal, deprive the board of its authority to institute or continue a proceeding against the applicant for the denial of the license upon any ground provided by law or to enter an order denying the license upon any such ground.

8. 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.

9. 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 . . .

10. Pursuant to its authority under Government Code section 11520, the Bureau finds Respondent is in default. The Bureau will take action without further hearing based upon the allegation set forth in the Statement of Issues and Respondent's failure to establish entitlement to the issuance of a renewal of approval to operate.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent California Security Training Academy has subjected its renewal application for an Approval to operate and offer educational programs for non-accredited institutions to denial.
2. Service of Statement of Issues No. 1001508 and related documents was proper and in accordance with the law.
3. The agency has jurisdiction to adjudicate this case by default.
4. The Director of Consumer Affairs is authorized to deny Respondent's application for licensure based upon the violations alleged in Statement of Issues No. 1001508, attached as Exhibit A and fully incorporated herein.

ORDER

1. IT IS SO ORDERED that the application for renewal to operate of Respondent California Security Training Academy is hereby denied.
2. Within 30 days of service of this Decision and Order, or by the set effective date of this Decision and Order, whichever is sooner, California Security Training Academy and its owners shall cease operating a private postsecondary institution in California, and shall not resume operation in California unless and until it is approved to do so by the Bureau for Private Postsecondary Education.

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 APR 24 2017.

IT IS SO ORDERED 3/20/17.


DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs