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8_	BEFORE THE		
- 9	DEPARTMENT OF CONSUMER AFFAIRS FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION		
10	STATE OF CALIFORNIA		
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12	In the Matter of the Accusation Against:	Case No. 1003489	
14	JC TRUCK DRIVING SCHOOL, LLC. dba JC TRUCK DRIVING SCHOOL	DEFAULT DECISION AND ORDER	
15	722 Julie Ann Way Oakland, CA 94621		
16	Approval to Operate an Institution Non-	[Gov. Code, §11520]	
17	Accredited, Institution Code Number 82335603		
18	Respondent.		
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20	FINDINGS OF FACT		
21	1.2 On or about May 29, 2020, Complainant Dr. Michael Marion, Jr., in his official2		
22	capacity as the Chief of the Bureau for Private Postsecondary Education (Bureau), Department of		
23	Consumer Affairs, filed Accusation No. 1003489 against J C Truck Driving School, LLC, dba J C		
24	Truck Driving School (Respondent) before the Director of Consumer Affairs. (Accusation		
25	attached as Exhibit A.)		
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28	///		
	(J C TRUCK DRIVING SCHOOL, LLC, DBA J C TRUCK DRIVING SCHOOL) DEFAULT DECISION & ORDER Case No. 1003489		
		DEFAULT DECISION & ONDER Case NO, 1003489	

1	2. On or about February 22, 2016, the Bureau issued Approval to Operate an Institution	
2	Non-Accredited, Institution Code Number 82335603, to Respondent. The Approval to Operate	
3	was in full force and effect at all times relevant to the charges brought in Accusation No. 1003489	
4	and will expire on February 21, 2021, unless renewed.	

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3. On or about June 3, 2020, Respondent was served by Certified and First Class Mail copies of Accusation No. 1003489, Statement to Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code section 136, is required to be reported and maintained with the Bureau. Respondent's address of record was and is: 722 Julie Ann Way, Oakland, CA 94621.

Additionally, copies of Accusation No. 1003489, Statement to Respondent, Notice of
 Defense, Request for Discovery, and Discovery Statutes, were served by Certified and First Class
 Mail to Juan Carpio Peredomo, Agent for Service of Process for J C Truck Driving School, LLC,
 at 1846 5Th Avenue, Apt A, Oakland, CA 94606.

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

7. 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 them of the Accusation, and therefore

23 waived their right to a hearing on the merits of Accusation No. 1003489.

8. 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

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1	9. Pursuant to its authority under Government Code section 11520, the Director finds	
2	Respondent is in default. The Director will take action without further hearing and, based on the	
3	relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,	
4	as well as taking official notice of all the investigatory reports, exhibits and statements contained	
5	therein on file at the Director's offices regarding the allegations contained in Accusation No.	
6	1003489, finds that the charges and allegations in Accusation No. 1003489, are separately and	
7	severally, found to be true and correct by clear and convincing evidence.	
8	10The Director finds that the actual costs for Investigation and Enforcement are	
• • • • 9 •	\$2,232.50 as of June 25, 2020.	
10	DETERMINATION OF ISSUES	
11	1. Based on the foregoing findings of fact, Respondent J C Truck Driving School, LLC,	
12	dba J C Truck Driving School has subjected its Approval to Operate an Institution Non-	
13	Accredited, Institution Code Number 82335603, to discipline.	
14	2. The agency has jurisdiction to adjudicate this case by default.	
15	3. The Director of Consumer Affairs is authorized to revoke Respondent's Approval to	
16	Operate based upon the following violations alleged in the Accusation which are supported by the	
17	evidence contained in the Default Decision Investigatory Evidence Packet in this case:	
18	a. California Code of Regulations, title 5, section 75050 subdivision (b) - Failure to	
19	Comply with Orders of Abatement and Payment of Fine; and	
20	b. California Code of Regulations, title 5, section 74000(e) - Failure to Pay Annual Fee.	
21	ORDER	
22	IT IS SO ORDERED that Approval to Operate an Institution Non-Accredited, Institution	
23	Code Number 82335603, issued to Respondent J C Truck Driving School, LLC, dba J C Truck	
24	Driving School, is revoked.	
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	(J C TRUCK DRIVING SCHOOL, LLC, DBA J C TRUCK DRIVING SCHOOL) DEFAULT DECISION & ORDER Case No. 1003489	

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a 1 written motion requesting that the Decision be vacated and stating the grounds relied on within 2 seven (7) days after service of the Decision on Respondent. The agency in its discretion may 3 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute. 4 SEP 2 7 2020 This Decision shall become effective on 5 19,2020 It is so ORDERED tugust 6 7 8 DEPUTY DIRECTOR θFT. 9 FFAIRS DIVISION DEPARTMENT OF CONSUMER AFFAIRS 10 FOR THE DIRECTOR OF CONSUMER AFFAIRS BUREAU FOR PRIVATE POSTSECONDARY 11 **EDUCATION** 12 13 42242794.DOCX DOJ Matter ID:SF2020200695 14 Attachment: 15 Exhibit A: Accusation 16 17 18 19 20 21 2223 24 25 26 2728 4 (J C TRUCK DRIVING SCHOOL, LLC, DBA J C TRUCK DRIVING SCHOOL DEFAULT DECISION & ORDER Case No. 1003489