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

In the Matter of the Statement of Issues Against: **CODING HOUSE INSTITUTE** Application for Approval to Operate an Institution Non-Accredited Respondent.	Case No. 1000841 OAH No. 2015121007

DECISION

The attached Stipulated Denial of Application for Approval to Operate and Order is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter.

This Decision shall become effective APR - 8, 2018.

DATED: March 2, 2018

RYAN MARCROFT
Deputy Director
Legal Affairs Division
Department of Consumer Affairs

XAVIER BECERRA
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General
CARTER OTT
Deputy Attorney General
State Bar No. 221660
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612-0550
Telephone: (510) 879-1349
Facsimile: (510) 622-2270
E-mail: Carter.Ott@doj.ca.gov
Attorneys for Complainant

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

In the Matter of the Statement of Issues Against: **CODING HOUSE INSTITUTE** **Application for Approval to Operate an Institution Non-Accredited** Respondent.	Case No. 1000841 OAH No. 2015121007 **STIPULATED DENIAL OF APPLICATION FOR APPROVAL TO OPERATE AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Joanne Wenzel, the former Chief of the Bureau for Private Postsecondary Education ("Bureau"), brought this action solely in her official capacity and was represented in this matter by Xavier Becerra, Attorney General of the State of California, by Carter Ott, Deputy Attorney General. Complainant Leeza Rifredi ("Complainant") is the current Deputy Chief of the Bureau, and is prosecuting this action solely in her official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Carter Ott, Deputy Attorney General.

2. Respondent Coding House Institute ("Respondent"), a Delaware corporation, is representing itself in this proceeding and has chosen not to exercise its right to be represented by counsel.

3. On or about April 8, 2014, Respondent filed an Application for Approval to Operate for an Institution Non-Accredited, dated April 4, 2014. On or about June 3, 2015, the Bureau issued to Respondent a Notice of Denial of Application for Approval to Operate.

JURISDICTION

4. Statement of Issues No. 1000841 was filed before the Director of the Department of Consumer Affairs ("Director"). The Statement of Issues and all other statutorily required documents were properly served on Respondent on November 12, 2015.

5. The Statement of Issues was subsequently amended. The operative Statement of Issues, a Third Amended Statement of Issues, was corrected via a Notice of Errata, filed on or about September 28, 2017. A copy of this Third Amended Statement of Issues is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in the Third Amended Statement of Issues No. 1000841. Respondent has also carefully read, and understands the effects of this Stipulated Denial of Application for Approval to Operate and Order.

7. Respondent is fully aware of its legal rights in this matter, including the right to a hearing on the charges and allegations in the Third Amended Statement of Issues; the right to be represented by counsel at its own expense; the right to confront and cross-examine the witnesses against it; the right to present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent understands and agrees that the charges and allegations in the Third Amended Statement of Issues No. 1000841, including, but not limited to Causes for Denial Number 1 through 25, if proven at a hearing, constitute cause for denying its application for an Approval to Operate. For the purpose of resolving the Third Amended Statement of Issues without the expense and uncertainty of further proceedings, Respondent agrees that, if at a hearing, Complainant could establish a factual basis for these charges in the Third Amended Statement of Issues, and that Respondent hereby gives up its right to contest those charges.

10. Respondent understands and agrees that, based on the matters set forth in Paragraph 9 (above), its application is subject to denial because of an inability to satisfy minimum operating standards.

RESERVATION

11. The admissions made by Respondent in this stipulation are only for the purposes of this proceeding, or any other proceedings in which the Director of the Department of Consumer Affairs, Bureau for Private Postsecondary Education, or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

12. This stipulation shall be subject to approval by the Director of the Department of Consumer Affairs or the Director's designee. Respondent understands and agrees that counsel for Complainant and the staff of the Bureau for Private Postsecondary Education may communicate directly with the Director and staff of the Department of Consumer Affairs regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that it may not withdraw its agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated Denial of Application for Approval to Operate and Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Director shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

14. This Stipulated Denial of Application for Approval to Operate and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This stipulation and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Director may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Respondent Coding House Institute's Application for Approval to Operate an Institution Non-Accredited is denied.

1. This stipulation constitutes a record of denial, and shall become part of Respondent's application history with the Bureau for Private Postsecondary Education.

2. Acceptance of this stipulation does not prohibit the Bureau from initiating or prosecuting any other matter related to Respondent's violation of California Education Code sections 94886 and 94927.5.

3. Respondent shall comply with the California Private Postsecondary Education Act of 2009 (Education Code section 94800 *et seq.*), including, but not limited to, Education Code sections 94886 and 94927.5.

4. The Bureau reserves the right to take action against Respondent for any failure to abide by the terms of this stipulation.

ACCEPTANCE

I have carefully read the Stipulated Denial of Application for Approval to Operate and Order. I understand the stipulation and the effect it will have on my Application. I enter into this

Stipulated Denial of Application for Approval to Operate and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of the Department of Consumer Affairs.

DATED: 2-5-18

[illegible] for Coding House

CODING HOUSE INSTITUTE
NICHOLAS JAMES, Chief Executive Officer
Respondent

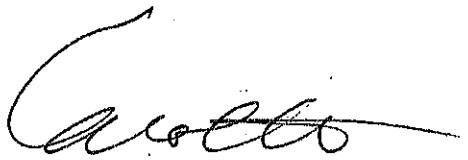
ENDORSEMENT

The foregoing Stipulated Denial of Application for Approval to Operate and Order is hereby respectfully submitted for consideration by the Director of the Department of Consumer Affairs

Dated: 2/6/18

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General



CARTER OTT
Deputy Attorney General
Attorneys for Complainant

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