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2 **BEFORE THE**
3 **DEPARTMENT OF CONSUMER AFFAIRS**
4 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**
5 **STATE OF CALIFORNIA**

6
7 In the Matter of the Accusation Against:

8 **CORINTHIAN COLLEGES INC., DBA**
9 **EVEREST COLLEGE AND WYOTECH**
10 **(CALIFORNIA SCHOOLS ONLY)**

11 **School Code Numbers: 1900741 1045 W.**
12 **Redondo Beach Blvd., #275, Gardena, CA**
13 **90247 (continued on page 6)**

14 **RESPONDENT**

Case No. 1000393

OAH No. 2015090277

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

15 FINDINGS OF FACT

16 1. On or about April 23, 2015, Complainant Joanne Wenzel, in her official capacity as
17 the Chief of the Bureau for Private Postsecondary Education, Department of Consumer Affairs,
18 filed Accusation 1000393 against Corinthian Colleges Inc., DBA Everest College and Wyotech
19 (Respondent) before the Director of the Department of Consumer Affairs (Director). (Accusation
20 attached as Exhibit A; First Amended Accusation attached as Exhibit B; Second Amended
21 Accusation attached as Exhibit C).

22 2. On or about September 1, 1987, the Bureau for Private Postsecondary Education
23 (Bureau) issued an Approval to Operate (School Code 1917331) to Respondent. The Bureau
24 granted an approval to operate by means of accreditation to eleven (11) Everest College
25 campuses, Institution Code Numbers 1900741, 1900731, 1904591, 1913561, 1917331, 1924201,
26 3000221, 3303781, 3600141, 3601871, 98946206; and two (2) WyoTech campuses, Institution
27 Code Numbers 0102871 and 1904031. The approval was in full force and effect at all times
28 relevant to the charges brought herein and expired on May 1, 2014.

1 3. On or about April 24, 2015, Respondent was served by Certified and First Class Mail
2 copies of the Accusation No. 1000393, Statement to Respondent, Notice of Defense, Request for
3 Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's
4 address of record which, pursuant to Business and Professions Code section 136 and California
5 Code of Regulation, Title 5, sections 71160, 71500, 71655, and 71660, is required to be reported
6 and maintained with the Bureau, which was and is: 6 Hutton Centre Dr., Suite 400, Santa Ana,
7 CA 92707.

8 4. Service of the Accusation was effective as a matter of law under the provisions of
9 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
10 124.

11 5. On or about June 17, 2015, Respondent was served by Certified and First Class Mail
12 copies of the First Amended Accusation No. 1000393.

13 6. On or about July 29, 2015, Respondent was served by Certified and First Class Mail
14 copies of the Second Amended Accusation No. 1000393.

15 7. On or about June 30, 2015, Respondent signed and returned a Notice of Defense with
16 current address of record requesting a hearing in this matter. On or about September 24, 2015, a
17 Notice of Hearing was served by mail at Respondent's current addresses of record and it informed
18 the Respondent that an administrative hearing in this matter was scheduled for January 21, 2016.
19 Complainant presented evidence that Respondent did not appear at that hearing.

20 8. Government Code section 11506 states, in pertinent part:

21 "The respondent shall be entitled to a hearing on the merits if the respondent files a notice
22 of defense, and the notice shall be deemed a specific denial of all parts of the Accusation not
23 expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's
24 right to a hearing, but the agency in its discretion may nevertheless grant a hearing." (Gov. Code
25 § 11506(c).)

26 9. California Government Code section 11520 states, in pertinent part:

27 "If the respondent either fails to file a notice of defense or to appear at the hearing, the
28 agency may take action based upon the respondent's express admissions or upon other evidence

1 and affidavits may be used as evidence without any notice to respondent.” (Gov. Code
2 § 11520(a).)

3 10. Pursuant to its authority under Government Code section 11520, the Director finds
4 Respondent is in default. The Director will take action without further hearing and, based on
5 Second Amended Accusation No. 1000393 and the documents contained in Default Decision
6 Investigatory Evidence Packet in this matter which includes:

7 Exhibit 1: Pleadings offered for jurisdictional purposes; Accusation Case No. 1000393,
8 Statement to Respondent, Notice of Defense (two blank copies), Request
9 for Discovery and Discovery Statutes (Government Code sections
10 11507.5, 11507.6 and 11507.7), proofs of service, mail receipt or copy of
11 returned mail envelopes, Notice of Defense and Notice of Hearing;

12 Exhibit 2: License History Certification for Corinthian Colleges Inc., DBA Everest
13 College and Wyotech, School Codes 1917331; 1900741, 1900731,
14 1904591, 1913561, 1924201, 3000221, 3303781, 3600141, 3601871,
15 98946206, 0102871, and 1904031.

16 Exhibit 3: Certification of Costs; Declaration of Carter Ott in Case No. 1000393 dated
17 June 15, 2016;

18 Exhibit 4: Certification of Costs of Investigation by Bureau for Private Postsecondary
19 Education in Case No. 1000393 date December 15, 2015;

20 Exhibit 5: Declaration of Carter Ott dated August 29, 2016;

21 Exhibit 6: Emergency Decision Packet (notice of Emergency Decision, Emergency
22 Decision, Declaration of Yvette Johnson and attached exhibits to that
23 declaration);

24 Exhibit 7: Investigative Report by Investigator Yvette Johnson, dated April 17, 2015.

25 The Director finds that the first and second charges and allegations in Second Amended
26 Accusation No. 1000393 are separately and severally true and correct by a preponderance of the
27 evidence.

28

ORDER

IT IS SO ORDERED that Approval to Operate (School Codes 1917331, 1900741, 1900731, 1904591, 1913561, 1924201, 3000221, 3303781, 3600141, 3601871, 98946206, 0102871, and 1904031), heretofore issued to Respondent, is revoked.

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 OCT 22 2016.

It is so ORDERED September 14, 2016



DOREATHA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

Attachments:

Exhibit A: Accusation No. 1000393

Exhibit B: First Amended Accusation No. 1000393

Exhibit C: Second Amended Accusation No. 1000393

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Approval to Operate Institution Code Numbers (continued from caption):

- 1900731 (2215 W. Mission Rd., Alhambra, CA 91803);
- 1904591 (18040 Sherman Way, Ste. 400, Reseda, CA 91335);
- 1913561 (12801 Crossroads Pkwy South, City of Industry, CA 91746);
- 1917331 (3000 S. Robertson Blvd., Ste. 300, Los Angeles, CA 90034);
- 1924201 (1231 Cabrillo Ave., Ste. 201, Torrance, CA 90501);
- 3000221 (511 N. Brookhurst St., Ste. 300, Anaheim, CA 92801);
- 3303781 (1819 S. Excise Ave., Ontario, CA 91761-8525);
- 3600141 (217 E. Club Center Dr., #A, San Bernardino, CA 92408);
- 3601871 (1460 S. Millikin Ave., Ontario, CA 91761);
- 98946206 (500 Santa Ana Blvd., Santa Ana, CA 92701);
- 0102871 (200 Whitney Pl., Fremont, CA 94539); and
- 1904031 (2161 Technology Pl., Long Beach, CA 90810)