

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**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:

**CALIFORNIA UNIVERSITY FOR
BUSINESS EDUCATION; BRUCE
KELLING, 20% Owner; HASBIYE
UZGOREN, 30% Owner; DINCER
KARACA, 50% Owner**

Respondent.

Case No. 1000737
OAH No. 2016030436
DEFAULT DECISION AND ORDER
[Gov. Code, § 11520]

FINDINGS OF FACT

1. On or about December 11, 2015, Complainant Joanne Wenzel, in her official capacity as the Chief of the Bureau for Private Postsecondary Education (Bureau), Department of Consumer Affairs, filed Statement of Issues No. 1000737 against California University of Business Education; Bruce Kelling, Hasbiye Uzgoren and Dincer Karaca, owners (Respondent), before the Director of Consumer Affairs.

2. On or about December 11, 2012, Respondent filed an application dated November 14, 2012, with the Director of Consumer Affairs to obtain an approval to operate a non-accredited

1 institution. Bruce Kelling, whose address was 4075 Rosenda Court, #276, San Diego, CA,
2 92122, was designated as the institution's contact person in the application.

3 3. On or about November 13, 2013, the Bureau was advised of a new address for Bruce
4 Kelling, which is 2802 Chauncey Drive, San Diego, CA 92123.

5 4. On or about April 17, 2015, the Bureau issued a letter denying Respondent's
6 application for an approval to operate. On or about April 23, 2015, Respondent appealed the
7 Bureau's denial of their application and requested a hearing.

8 5. On or about December 16, 2015, an employee of the Department of Justice, served by
9 Certified and First Class Mail a copy of the Statement of Issues No. 1000737, Statement to
10 Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5,
11 11507.6, and 11507.7 to the addresses on the application form and to addresses subsequently
12 provided by Respondent to the Bureau, which were: (1) Bruce Kelling, 2802 Chauncey Drive
13 San Diego, CA 92123, and 4075 Rosenda Court, #276, San Diego, CA 92122; (2) Dincer
14 Karaca, No:12/3 K:1 34734 Sahrayicedid, Istanbul, Turkey; and, (3) Hasbiye Uzgoren, 586 Anita
15 Street, Chula Vista, CA 91911, and 1876 Sokak #17 D4, Izmir, Turkey. A signed returned
16 receipt was received for service of the Statement of Issues on Bruce Kelling at 2802 Chauncey
17 Drive, San Diego, CA. A copy of the Statement of Issues is attached as exhibit A, and is
18 incorporated herein by reference.

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

21 7. On or about April 23, 2015, Respondent appealed the denial of their application and
22 requested a hearing in this action. A Notice of Hearing was served by mail to the addresses on
23 the application form and to addresses subsequently provided by Respondent, which were: (1)
24 Bruce Kelling, 2802 Chauncey Drive San Diego, CA 92123, (2) Dincer Karaca, No:12/3 K:1
25 34734 Sahrayicedid, Istanbul, Turkey; and, (3) Hasbiye Uzgoren, 586 Anita Street, Chula Vista,
26 CA 91911, and 1876 Sokak #17 D4, Izmir, Turkey. The Notice of Hearing informed Respondent
27 that an administrative hearing in this matter was scheduled for October 13, 2016.

28 ///

1 b. Title 5, CCR, sections 71100 and 71715(d)(3) for failing to ensure that the materials
2 and distance educational programs are current, well organized, and designed by faculty
3 knowledgeable in distance education techniques;

4 c. Title 5, CCR, sections 71100 and 71715, subdivisions (d)(3), (d)(4) and (d)(6), for
5 failing to meet minimum operating standards regarding distance education;

6 d. Title 5, CCR, sections 71100 and 71740, subdivisions (b), (c) and (d)(1-4) for failing
7 to provide a library, access to the regular services of a professional librarian or information
8 specialist experienced in the electronic retrieval of information, or access to the library collections
9 and resources of another institution, organization, or library;

10 e. Title 5, CCR, sections 71100 and 71770, and Code sections 94909 and 94920(d), in
11 that the school's catalog submitted with Respondents' application failed to comply with the
12 Bureau's statutes and regulations.

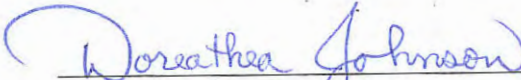
13 ORDER

14 IT IS SO ORDERED that the application of Respondent California University of Business
15 Education; Bruce Kelling, Hasbiye Uzgoren, and Dincer Karaca, owners, is hereby denied.

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

20 This Decision shall become effective on JAN 2 2017

21 It is so ORDERED December 9, 2016

22
23 

24 DOREATHEA JOHNSON

25 Deputy Director

26 Division of Legal Affairs

27 Department of Consumer Affairs

28 SD2015801696/81488887.doc

Attachment: Exhibit A: Statement of Issues No. 1000737