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

In the Matter of the Accusation Against:

QUEENSTON COLLEGE OF AMERICA, PETER DO, OWNER 3660 Wilshire Blvd, Suite 338 Los Angeles, CA 90010

Approval to Operate Institution Code No. 1940681

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Director of Consumer Affairs and the Bureau for Private Postsecondary Education as the Decision and Order in the above entitled matter.

This Decision shall become effective on JAN 1 2 2019

DATED: December 7, 2018

Case No. 1002778

RYAN MARCROET DEPUTY DIRECTOR LEGAL AFFAIRS DIVISION DEPARTMENT OF CONSUMER AFFAIRS

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1	XAVIER BECERRA Attorney General of California		
2	THOMAS L. RINALDI Supervising Deputy Attorney General	·	
З,	DESIREE TULLENERS Deputy Attorney General	· · · ·	
4	State Bar No. 157464		
5	300 So. Spring Street, Suite 1702 Los Angeles, CA 90013		
6	Telephone: (213) 269-6298 Facsimile: (213) 897-2804		
7	Attorneys for Complainant	•	
8	BEFOR DEPARTMENT OF C		
9	FOR THE BUREAU FOR PRIVATE	POSTSECONDARY EDUCATION	
10	STATE OF C.	ALLFURNIA	
11	In the Matter of the Accusation Against:	Case No. 1002778	
12	QUEENSTON COLLEGE OF AMERICA, PETER DO, OWNER	STIPULATED SURRENDER OF APPROVAL TO OPERATE AND	
13 14	3660 Wilshire Blvd, Suite 338 Los Angeles, CA 90010	ORDER	
	Approval to Operate Institution Code No.		
15	1940681		
16	Respondent.		
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18	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-		
19	entitled proceedings that the following matters are	e true:	
20	PART	<u>TIES</u>	
21	1. Dr. Michael Marion, Jr. (Complainan	t) is the Chief of the Bureau for Private	
22	Postsecondary Education (Bureau). He brought the	nis action solely in his official capacity and is	
23	represented in this matter by Xavier Becerra, Atto	rney General of the State of California, by	
24	Desiree Tulleners, Deputy Attorney General.		
25	2. Queenston College of America, Peter	Do, Owner of Queenston College of America	
26	(Respondent) is representing himself this proceed	ing and have chosen not to exercise his right to	
27	be represented by counsel.		
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- 1	3. On or about August 26, 2002, the Bureau issued Approval to Operate Institution Code	
2	No. 1940681 to Respondent. Approval to Operate Institution Code No. 1940681 was in full force	
3	and effect at all times relevant to the charges brought in Accusation No. 1002778, and will expire	
4	on March 22, 2020, unless renewed.	
5	JURISDICTION	
б	4. Accusation No. 1002778 was filed before the Director of the Department of	
7	Consumer Affairs, and is currently pending against Respondent. The Accusation and all other	
8	statutorily required documents were properly served on Respondent on July 20, 2018.	
9	Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation	
10	No. 1002778 is attached as Exhibit A and incorporated by reference.	
11	ADVISEMENT AND WAIVERS	
12	5. Respondent has carefully read, and understands the charges and allegations in	
13	Accusation No. 1002778. Respondent has also carefully read, and understands the effects of this	
14	Stipulated Surrender of Approval to Operate and Order.	
15	6. Respondent is fully aware of his legal rights in this matter, including the right to a	
16	hearing on the charges and allegations in the Accusation; the right to be represented by counsel, a	
17	his own expense; the right to confront and cross-examine the witnesses against him; the right to	
18	present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel	
19	the attendance of witnesses and the production of documents; the right to reconsideration and	
20	court review of an adverse decision; and all other rights accorded by the California	
21	Administrative Procedure Act and other applicable laws.	
22	7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and	
23	every right set forth above.	
24	CULPABILITY	
25	8. Respondent understands that the charges and allegations in Accusation No. 1002778,	
26	if proven at a hearing, constitute cause for imposing discipline upon its Approval to Operate	
27	Institution Code No. 1940681.	
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Stipulated Surrender of Approval to Operate and Order (Case No, 1002778)

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent understands that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up their right to contest that cause for discipline exists 4 based on those charges. 5

Respondent understands that by signing this stipulation Respondent enables the 10. 6 Director to issue his order accepting the surrender of their Approval to Operate Institution Code 7 No. 1940681 without further process. 8

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CONTINGENCY

This stipulation shall be subject to approval by the Director or the Director's designee. 11. 10 Respondent understands and agrees that counsel for Complainant and the staff of the Bureau for 11 Private Postsecondary Education may communicate directly with the Director and staff regarding 12 this stipulation and surrender, without notice to or participation by Respondent. By signing the 13 stipulation, Respondent understands and agrees that he may not withdraw its agreement or seek to 14 rescind the stipulation prior to the time the Director considers and acts upon it. If the Director 15 fails to adopt this stipulation as the Decision and Order, the Stipulated Surrender and Disciplinary 16 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal 17 action between the parties, and the Director shall not be disqualified from further action by 18 having considered this matter. 19

The parties understand and agree that Portable Document Format (PDF) and facsimile 12. 20 copies of this Stipulated Surrender of Approval to Operate and Order, including PDF and 21 22 facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Surrender of Approval to Operate and Order is intended by the parties 23 to be an integrated writing representing the complete, final, and exclusive embodiment of their 24 agreement. It supersedes any and all prior or contemporaneous agreements, understandings, 25 26 discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of Approval to Operate and Order may not be altered, amended, modified, supplemented, or 27

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otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. 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:

<u>ORDER</u>

IT IS HEREBY ORDERED that Approval to Operate Institution Code No. 1940681, issued to Queenston College of America, Owner, is surrendered and accepted by the Director of the Department of Consumer Affairs.

Respondent shall lose all rights and privileges as a private postsecondary institution in
 California as of the effective date of the Director's Decision and Order.

Respondent shall close his satellite location at 2781 W. Olympic Boulevard, Los
 Angeles, California 90006.

If Respondent, or any of Respondent's owners and/or agents, including Peter Do, ever 3. 14 apply for approval to operate or petition for reinstatement in the State of California, the Bureau 15 shall treat it as a new application for approval. Respondent, and/or any of Respondent's owners 16 and/or agents, including Peter Do, must comply with all the laws, regulations and procedures for 17 approval in effect at the time the application or petition is filed, and all of the charges and 18 allegations contained in Accusation No. 1002778 shall be deemed to be true, correct and admitted 19 by Respondent, and/or any of Respondent's owners and/or agents, including Peter Do, when the 20 Bureau determines whether to grant or deny the application or petition. 21

4. Respondent shall comply with California Education Code section 94927.5, including
providing the Bureau with all records in a readable electronic format, within fifteen (15) days of
the parties' execution of this stipulation.

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S. Respondent shall provide the Bureau with the school closure plan as set forth in
 California Code of Regulations, title 5, section 76240, within fifteen (15) days of the parties'
 execution of this stipulation.

6. Respondent shall provide the Bureau all records in readable electronic format for all
students who attended their institution through the date of closure, within fifteen (15) days of the
parties' execution of this stipulation.

7 7. Respondent understands that their acceptance of the stipulated surrender does not
8 preclude the filing of civil claims against Respondent arising from the allegations in the
9 Accusation.

8. Respondent and/or Peter Do shall pay the agency its costs of investigation and
enforcement in the amount of \$6,471.39 prior to issuance of a new or reinstated approval to
operate.

<u>ACCEPTANCE</u>

I have carefully read the Stipulated Surrender of Approval to Operate and Order. I
understand the stipulation and the effect it will have on our Approval to Operate Institution Code
No. 1940681. I enter into this Stipulated Surrender of 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: 08/30/2018

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QUÉENSTON COLLEGE OF AMERICA, PETER DO Respondent

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1	ENDORSEMENT	
2	The foregoing Stipulated Surrender of Approval to Operate and Order is hereby respectfully	
3	submitted for consideration by the Director of the Department of Consumer Affairs.	
4	DATED: August 30, 2018 Respectfully submitted,	
5	XAVIER BECERRA	
6	Attorney General of California THOMAS L. RINALDI	
7	Supervising Deputy Attorney General	
8	Vernee Tulleners)	
9	Desiree Tulleners Deputy Attorney General	
10	Attorneys for Complainant	
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