Bureau for Private Postsecondary Education
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CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT MODIFIED

To: James Petulla
Radio Recording Film and Culinary Connection
1201 W. 5th Street, Suite M-130
Los Angeles, CA 90017

INSTITUTION CODE: Unapproved
CITATION NUMBER: 1516071
CITATION ISSUANCE/SERVICE DATE: JANUARY 5, 2018
DUE DATE: March 19, 2018
FINE AMOUNT: $ 40,000.00
ORDER OF ABATEMENT INCLUDED: YES

Yvette Johnson issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Enforcement Chief for the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Mr. James Petulla, owner of Radio Recording Film and Culinary Connection (Institution) located at 1201 West 5th Street M130, Los Angeles, CA 90017 pursuant to Business and Professions Code section 125.9; California Education Code (CEC) §94944; and Title 5 of the California Code of Regulations (5 CCR) §75020 for the violation(s) described below.

BACKGROUND

The Bureau for Private Postsecondary Education originally received an application for an Approval to Operate an Institution Non-Accredited from institution owner, James Petulla on October 14, 2010. The institution name on the application was Mentor Apprentice School of the Arts. During the course of the review process of the application the Bureau received a request to change the name on the application to Recording Radio and Film Connection. The Bureau received multiple complaints regarding the business. During the course of the investigation the Bureau found that the Institution was operating and advertising under various business names. The advertised names include: Mentor Apprentice School of the Arts; Recording Radio Film Connection, Inc.; Recording Connection Audio Institute; Broadcast Connection; Career Connection; Culinary Connection Culinary Arts Academy; Entertainment Career Connection; film Connection film Institute; Film 7 TV Connection; Learn in Los Angeles Film School/Program; Mentor Apprentice School of the Arts, Entertainment Connection, Inc.; Radio and Recording Connection; Radio Connection Broadcasting School/Institute; Radio Recording, Television & Film Connection; Recording Audio Institute; Recording Connection; Recording Connection Audio Institute/School; and San Francisco Recording Connection.

On May 22, 2013 the Bureau issued a citation to Recording Radio Film and Culinary Connection for operating an unapproved institution. This citation was subsequently withdrawn after an informal office conference between the Bureau and the Institution. In addition in August 2013 the Institution's application for approval to operate was denied. The institution appealed the denial but ultimately withdrew their appeal and submitted a new application for Approval to Operate an Institution Non-Accredited under the name Radio Recording Film and Culinary Connection. This application was also denied.

Through the investigation, the Bureau has discovered that the Institution continues to advertise, enroll new students and operate despite not having an approval to operate from the Bureau.

VIOLATION(S)

#	The California Education Code (CEC) and Title 5 of the California Code of Regulations (5 CCR). Below you will find the code section(s) of law you are charged with violating.
1.	Violation: CEC 94886. Approval to Operate Required *"Except as exempted in Article 4 (commencing with Section 94874) or in compliance with the transition provisions in Article 2 (commencing with Section 94802), a person shall not open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter."* The prior Bureau for Private Postsecondary and Vocational Education and the current Bureau have received numerous complaints from 2006 to 2015 alleging that the institution is operating without approval. Radio Recording Film and Culinary Connection (Institution), advertises under numerous fictitious business names including, but not limited to: Mentor Apprentice School of the Arts; Recording Radio Film Connection, Inc.; Recording Connection Audio Institute; Broadcast Connection; Career Connection; Culinary Connection Culinary Arts Academy; Entertainment Career Connection; film Connection film Institute; Film 7 TV Connection; Learn in Los Angeles Film School/Program; Mentor Apprentice School of the Arts, Entertainment Connection, Inc; Radio and Recording Connection; Radio Connection Broadcasting School/Institute; Radio Recording, Television & Film Connection; Recording Audio Institute; Recording Connection; Recording Connection Audio Institute/School; and San Francisco Recording Connection. On 10/14/10, the Institution submitted application number 22864 for Approval to Operate an Institution Non-Accredited to the Bureau under the fictitious business name Mentor Apprentice School of the Arts. During the application process the Institution requested to have the name changed to Recording Radio Film Connection On 5/17/13, the Bureau received a complaint alleging that Culinary Connection Culinary Arts Academy was operating without approval in violation of CEC 94886. On 5/22/13, the Bureau issued Citation number 1213017 to Recording Radio Film and Culinary Connection for a violation of CEC 94886 – Approval to Operate Required.

On 7/18/13, an Order of Abatement was issued by the Bureau to cease operations of Culinary Connection Culinary Arts.

On 7/31/13, an Informal Conference was held with Recording Radio Film and Culinary Connection and the Bureau.

On 8/30/13, Citation number 1213017 was withdrawn by the Bureau as a mediated settlement was reached.

On 8/30/13, application number 22864 was denied by Licensing Manager Leeza Rifredi for Mentor Apprentice School of Arts/Recording Radio Film Connection.

On 9/4/13, the Bureau received a letter from Recording Radio Film and Culinary Connection detailing that the Order of Abatement sent to Culinary Connection Culinary Arts was discussed and mediated during the informal conference on 7/31/13 for Recording Radio Film and Culinary Connection.

On 10/30/13, the Bureau received a letter from Mentor Apprentice School of the Arts/Recording Radio Film Connection appealing the denial of application number 22864 and requesting an informal conference and a formal administrative hearing.

On 4/10/14, the Bureau received a letter of withdrawal of appeal for the denial of application number 22864. Simultaneously, a new application for Approval to Operate an Institution Non-Accredited, number 27250, was submitted under the name Recording Radio Film and Culinary Connection.

On 10/15/14, the Bureau received a complaint number 1000049 alleging that Radio Recording Film and Culinary Connection is advertising on multiple websites, and charging in excess of $2,500.00 without Bureau Approval in violation of CEC 94886.

On 7/21/15, the Bureau denied application number 27250, Approval to Operate an Institution Non-Accredited.

On 8/18/15, the Bureau received an appeal for the denial of application number 27250. While the application denial is pending an administrative hearing and decision, Radio Recording Film and Culinary Connection does not have approval to operate.

Based on the Bureau's investigation, the Institution is conducting business as a private postsecondary educational entity with two physical locations in California; located 1201 W. 5th Street, Suite M-130, Los Angeles, CA 90017 and 555 California Street, Suite 4925, San Francisco, CA 94104. The Institution offers at least 16 educational programs to the public, including distance learning apprenticeship programs throughout the United States with educational costs starting at $8,400.00. The programs are advertised as being offered by no fewer than six of the fictitious business names previously noted. As such, the Institution falls under the definition of a Private Postsecondary Educational Institution under CEC section 94858. Despite the Bureau's requests for compliance and/or cease operations as a postsecondary educational institution, the Institution has deliberately ignored such requests and knowingly continues to operate without approval.

	Order of Abatement: 1. The Bureau Orders that the Institution cease to operate as a Private Postsecondary Educational Institution at all locations, under any known and unknown names, throughout the State of California. The Institution must discontinue recruiting or enrolling students and cease all instructional services and advertising in any form or type of media (including Internet web sites), until such time as an approval to operate is obtained from the Bureau. 2. Radio Recording Film and Culinary Connection (institute) will withdraw the appeal of Citation and Order of Abatement No. 1516071 3. Radio Recording Film and Culinary Connection (institute) will not appeal the modified Citation and Order of Abatement No. 1516071 4. Radio Recording Film and Culinary Connection (institute) will pay to the Bureau the sum of $40,000.00 as a modified fine amount. This modified fine amount shall be paid in two monthly installments of $20,000.00. The first payment shall be due on or before January 31, 2018. The second and final payment shall be due on March 19, 2018. Respondent shall be in default if he fails to make payment by the due date of each month. Assessment of Fine The fine for this violation is $40,000.00
TOTAL ADMINISTRATIVE FINE DUE: $40,000.00	

ASSESSMENT OF A FINE

In accordance with CEC section 94944; and 5 CCR section 75020(b), the Bureau hereby orders this assessment of a fine in the amount of **$40,000.00** for the violations described above. Monthly payments in the amount of $20,000.00 are due and payable to the Bureau by the due date. The first payment is due no later than January 31, 2018. The second and final payment is due no later than March 19, 2018. Payment will be accepted via Cashier's check or money order. No personal checks or credit cards are accepted.

ORDER OF ABATEMENT

In accordance with the provisions of 5 CCR Section 75020 (b) the Bureau hereby issues the order(s) of abatement described above.

This citation carries an administrative fine of $40,000.00. Respondent shall pay the Bureau $40,000.00 in two consecutive monthly installments of $20,000.00. The first payment is due to the Bureau no later than January 31, 2018. The second and final payment shall be due no later than March 19, 2018. Failure to submit payment as set forth above will result in the matter being remanded back to the original assessed civil penalty ($50,000.00) with the full amount, less any monies paid, immediately due. In addition, failure to comply with the agreement once entered may subject any future approval to operate to further and substantial discipline.

Payment of the administrative fine and/or written request for appeal must be mailed to:

Gurinder Sandhu, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

If you have any questions regarding this Citation, or desire further information, please contact Gurinder Sandhu, Discipline Analyst, at 916-431-6940 or Gurinder.Sandhu@dca.ca.gov.

Yvette Johnson

Yvette Johnson
Enforcement Chief

1-5-18

Date

Enclosures

- Payment of Fine – Waiver of Appeal