

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 ALREDO TERRAZAS  
Senior Assistant Attorney General  
3 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
4 State Bar No. 164015  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2520  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

**FILED**

Date 7/14/10 By Kelli Okuma

8  
9 **BEFORE THE**  
**STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF PESTICIDE REGULATION**  
**STATE OF CALIFORNIA**

11  
12 In the Matter of the Petition to Revoke Probation  
Against:

Case No. 2011-4

13 **MARTIN DURAN DURAN**  
14 635 Foxglove Place  
Oxnard, California 93036

**PETITION TO REVOKE  
PROBATION**

15 **Field Representative License No. FR 12712, Br.1**

16 Respondent.

17  
18 Kelli Okuma ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Petition to Revoke Probation solely in her official capacity as  
21 the Registrar/Executive Officer of the Structural Pest Control Board ("Board"), Department of  
22 Pesticide Regulation.

23 2. On or about January 8, 1985, the Board issued Field Representative License Number  
24 FR 12712 in Branch 1 to Martin Duran Duran ("Respondent"). The license was in effect at all  
25 times relevant to the charges brought herein and will expire on June 30, 2011, unless renewed.

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
**PRIOR DISCIPLINE**

3. In a disciplinary action entitled "*In the Matter of the Accusation Against Martin Duran Duran*," Case No. 2007-54, the Board issued a decision effective August 30, 2008, in which Respondent's Field Representative License was revoked and suspended for 15 days. However, the revocation was stayed and Respondent was placed on probation for a period of three (3) years with certain terms and conditions. A copy of that Decision is attached as **Exhibit A**, and is incorporated herein by reference.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
**PETITION TO REVOKE PROBATION**

4. At all times after the effective date of Respondent's probation, Condition 6 stated: "Should Respondent violate probation in any respect, the Board, after giving Respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order which was stayed. If an accusation or petition to revoke probation is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final. If during the period of probation, an accusation or petition to revoke probation has been filed against Respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against Respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board."

5. Respondent's probation is subject to revocation, in that he violated probation as set forth below:

19  
20  
21  
22  
**FIRST CAUSE TO REVOKE PROBATION**

23  
24  
25  
26  
**(Failed to Obey All Laws)**

6. At all times after the effective date of Respondent's probation, Condition 1 stated: "Respondent shall obey all laws and rules relating to the practice of structural pest control."

7. Respondent's probation is subject to revocation, in that he failed to comply with Condition 1, referenced above, by failing to notify the Board of his change of employment and mailing address, pursuant to Code section 8567, and California Code of Regulations, title 16, section 1911.

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
2  
2  
2  
2  
2

## 2

3

5

## 8

## 9

0

1

15

## 19

20

22

2.

2.

2

2

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

2. Revoking or suspending Field Representative License No. FR 12712, issued to  
Martin Duran Duran; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: 7/14/10

  
KELLI OKUMA

Registrar/Executive Officer  
Structural Pest Control Board  
Department of Pesticide Regulation  
State of California  
*Complainant*

LA2010600026 (4/20/2010)  
10562929.doc