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FILED

Date 12/17/09 By *Susan Saylor*

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

11 In the Matter of the Accusation Against:

Case No. 2010-33

ACCUSATION

12
13 **RONALD W. GRAY**
13371 Neptune Court
14 Garden Grove, CA 92843

15 **Field Representative License No. FR 27280**

16
17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Kelli Okuma (Complainant) brings this Accusation solely in her official capacity as
22 the Registrar/Executive Officer of the Structural Pest Control Board, Department of Pesticide
23 Regulation.

24 2. On or about December 4, 1996, the Structural Pest Control Board issued Field
25 Representative License Number FR 27280 to Ronald W. Gray (Respondent). The Field
26 Representative License was in full force and effect at all times relevant to the charges brought
27 herein and will expire on June 30, 2011, unless renewed.
28

1 whenever required to do so by the Board, may be subject to disciplinary action under
2 section 8641 of the code.

3 COST RECOVERY

4 13. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
5 administrative law judge to direct a licensee found to have committed a violation or violations of
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
7 enforcement of the case.

8 FACTS

9 14. On or before June 30, 2008, Respondent submitted a renewal application for his Field
10 Representative's License to the Board in which he certified to the Board that that he had taken all
11 required continuing education coursework. Specifically, Respondent signed a License Renewal
12 Application card, which provided in pertinent part:

13 Continuing Education Certification – I have completed 16 [blank filled in with the number
14 16] hours of continuing education required for renewal of my license. I DECLARE UNDER
15 PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT
16 THE FOREGOING IS TRUE AND CORRECT.

17 Respondent signed his name below the above certification, and dated his signature
18 "6/20/08."

19 15. Thereafter, on December 15, 2008, Respondent was notified that he had been selected
20 for a continuing education audit by the Board. Respondent was informed, in writing that he was
21 to submit to the Board copies of his certificates of course completion for the renewal period of
22 July 1, 2005 through June 30, 2008. Respondent failed to respond to the Board's request. On
23 January 20, 2009, Respondent was sent a second letter from the Board requesting his certificates
24 of completion of continuing education courses for the renewal period of July 1, 2005 to June 30,
25 2008. Respondent was given two weeks to respond to the Board's request or risk disciplinary
26 action being taken against his license. Respondent failed to respond to the Board's request. On
27 March 19, 2009, the Board sent a third and final letter to Respondent requesting his continuing
28 education certificates for the time period of July 1, 2005 through June 30, 2008. He
was given until April 2, 2009 to respond. Respondent has failed to provide the Board with any

1 certificates of completion of continuing education requirements for the renewal period of July 1,
2 2005 through June 30, 2008.

3 **FIRST CAUSE FOR DISCIPLINE**

4 (Failure to Provide Proof of Continuing Education)

5 16. Respondent's Field Representative License is subject to disciplinary action under
6 Code section 8641, for failure to comply with Code section 8593 and Regulation section 1950,
7 subdivision (a), in that Respondent failed to provide the Board with verifiable documentation to
8 demonstrate that he completed the continuing education requirements as a condition of renewal of
9 his Field Representative License, as set forth above in paragraphs 14 and 15.

10 **SECOND CAUSE FOR DISCIPLINE**

11 (Misrepresentation of Fact Regarding Continuing Education)

12 17. Respondent's Field Representative License is subject to disciplinary action under
13 Code sections 8637, in that Respondent misrepresented that he had completed 16 hours of
14 continuing education coursework in his license renewal application, when in fact he had failed to
15 fulfill the Board's continuing education requirements as a condition of renewal of his license as
16 set forth above in paragraphs 14 and 15.

17 **PRAYER**

18 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
19 and that following the hearing, the Structural Pest Control Board issue a decision:

20 1. Revoking or suspending Field Representative License Number FR 27280, issued to
21 Ronald W. Gray:

22 2. Ordering Ronald W. Gray to pay the Structural Pest Control Board the reasonable
23 costs of the investigation and enforcement of this case, pursuant to Business and Professions
24 Code section 125.3;

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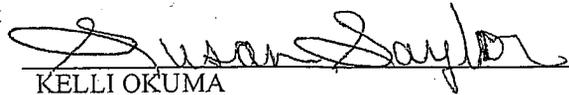
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4. Taking such other and further action as deemed necessary and proper.

DATED: 12/17/09



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

SD2009804751