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9	BEFORE THE STRUCTURAL PEST CONTROL BOARD	
10	DEPARTMENT OF PESTICIDE REGULATION STATE OF CALIFORNIA	Ì
11	In the Matter of the Petition to Revoke Case No. 2011-35	
12	In the Matter of the Petition to Revoke Probation Against: Case No. 2011-35	
13	STEWART LEE OLSEN 4800 St. Andrews Avenue PETITION TO REVOKE PROBATION	
14	Buena Park, CA 90621	
15	Field Representative License No. FR 30132	
16	Respondent.	
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18	Complainant alleges:	
19	PARTIES	
20	1. Kelli Okuma (Complainant) brings this Petition to Revoke Probation solely in her	
21	official capacity as the Registrar/Executive Officer of the Structural Pest Control Board,	
22	Department of Pesticide Regulation.	
23	2. On or about October 9, 1998, the Structural Pest Control Board issued Field	
24	Representative License Number FR 30132 to Stewart Lee Olsen (Respondent). The Field	
25	Representative License was in effect at all times relevant to the charges brought herein and will	
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28	Olsen," Case No. 2009-16, the Structural Pest Control Board issued a decision, effective May 2	Ι,
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2009, in which Respondent's Field Representative License was revoked. However, the revocation was stayed and Respondent's Field Representative License 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 by reference.

JURISDICTION

- 4. This Petition to Revoke Probation is brought before the Structural Pest Control Board (Board), Department of Pesticide Regulation, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.
- 5. Section 8620 of the Code provides, in pertinent part, that the Board may suspend or revoke a license when it finds that the holder, while a licensee or applicant, has committed any acts or omissions constituting cause for disciplinary action or in lieu of a suspension may assess a civil penalty.
 - 6. Section 8625 of the Code states:

The lapsing or suspension of a license or company registration by operation of law or by order or decision of the board or a court of law, or the voluntary surrender of a license or company registration shall not deprive the board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against such licensee or company, or to render a decision suspending or revoking such license or registration.

FIRST CAUSE TO REVOKE PROBATION

(Quarterly Reports)

- 7. At all times after the effective date of Respondent's probation, Condition 18 stated:
- Respondent Olsen shall file quarterly reports with the Board during the period of probation.
- 8. Respondent's probation is subject to revocation because he failed to comply with Probation Condition 18, referenced above, in that Respondent failed to file any quarterly reports with the Board.

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SECOND CAUSE TO REVOKE PROBATION

(Continuing Education Courses)

9. At all times after the effective date of Respondent's probation, Condition 23 stated:

Respondent Olsen shall take eight (8) approved hours of continuing education in rules and regulations and eight (8) approved hours of technical training in Branch 3 within 120 days of the approved stipulation. These hours are in addition to any hours required for re-licensure.

10. Respondent's probation is subject to revocation because he failed to comply with Probation Condition 23, referenced above, in that he failed to provide proof of completion of the required 16 hours of continuing education and technical training by the September 8, 2009 deadline.

THIRD CAUSE TO REVOKE PROBATION

(Random Inspections)

11. At all times after the effective date of Respondent's probation, Condition 25 stated:

Respondent Olsen shall reimburse the Board for one (1) random inspection per quarter by Board specialists during the period of probation not to exceed \$125 per inspection.

- 12. Respondent's probation is subject to revocation because he failed to comply with Probation Condition 25, referenced above. The facts and circumstances regarding this violation are as follows:
- a. On or about September 1, 2009, a Board representative traveled to Respondent's address of record with the Board. The representative explained to Respondent that as a result of the Board's May 21, 2009 Decision adopting the stipulated settlement agreement signed by Respondent, the representative was there to perform a random probation compliance inspection. Respondent told the representative that he did not have time to go over the specifics of his probation, but would contact the Board representative.
- b. On September 15, 2009, October 9, 2009, October 26, 2009, and November 2, 2009, the Board representative left voice mail messages directing Respondent to contact him to arrange a mutually convenient date for the quarterly probation inspection. Respondent never contacted the representative or anyone from the Board.

PRAYER

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

- Revoking the probation that was granted by the Structural Pest Control Board in Case
 No. 2009-16 and imposing the disciplinary order that was stayed thereby revoking Field
 Representative License No. FR 30132 issued to Stewart Lee Olsen;
- 2. Revoking or suspending Field Representative License No. FR 30132, issued to Stewart Lee Olsen;
 - 3. Taking such other and further action as deemed necessary and proper.

DATED: 215 11

KELLI OKÙMA

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

Complainant

SD2010702686 pet revoke prob.rtf