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FILED

Date 2/15/11 By *Susan Bayler*

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

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

Case No. 2011-35

13 **STEWART LEE OLSEN**
14 **4800 St. Andrews Avenue**
Buena Park, CA 90621

PETITION TO REVOKE PROBATION

15 **Field Representative License No. FR 30132**

16 Respondent.

17
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
26 expire on June 30, 2013, unless renewed.

27 3. In a disciplinary action entitled "*In the Matter of Accusation Against Stewart Lee*
28 *Olsen*," Case No. 2009-16, the Structural Pest Control Board issued a decision, effective May 21,

1 2009, in which Respondent's Field Representative License was revoked. However, the
2 revocation was stayed and Respondent's Field Representative License was placed on probation
3 for a period of three (3) years with certain terms and conditions. A copy of that decision is
4 attached as Exhibit A and is incorporated by reference.

5 JURISDICTION

6 4. This Petition to Revoke Probation is brought before the Structural Pest Control Board
7 (Board), Department of Pesticide Regulation, under the authority of the following laws. All
8 section references are to the Business and Professions Code (Code) unless otherwise indicated.

9 5. Section 8620 of the Code provides, in pertinent part, that the Board may suspend or
10 revoke a license when it finds that the holder, while a licensee or applicant, has committed any
11 acts or omissions constituting cause for disciplinary action or in lieu of a suspension may assess a
12 civil penalty.

13 6. Section 8625 of the Code states:

14 The lapsing or suspension of a license or company registration by operation of
15 law or by order or decision of the board or a court of law, or the voluntary surrender
16 of a license or company registration shall not deprive the board of jurisdiction to
17 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.

18 FIRST CAUSE TO REVOKE PROBATION

19 (Quarterly Reports)

20 7. At all times after the effective date of Respondent's probation, Condition 18 stated:

21 Respondent Olsen shall file quarterly reports with the Board during the period
22 of probation.

23 8. Respondent's probation is subject to revocation because he failed to comply with
24 Probation Condition 18, referenced above, in that Respondent failed to file any quarterly reports
25 with the Board.

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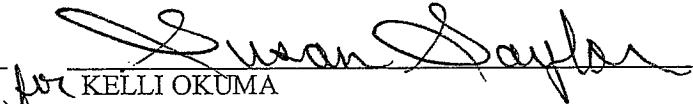
PRAYER

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:

1. 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:

2/15/11


for

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

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