

BEFORE THE  
STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

JAMES ALLEN WERNLI  
P.O. Box 1660  
Claremont, CA 91711

Field Representative License No. FR 33331

Respondent.

Case No. 2015-2


OAH No. 2014090351

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Structural Pest Control Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on May 30, 2015.

It is so ORDERED April 30, 2015.

  
FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS  
Attorney General of California  
2 THOMAS RINALDI  
Supervising Deputy Attorney General  
3 CRISTINA FELIX  
Deputy Attorney General  
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E-mail: Cristina.Felix@doj.ca.gov  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
**STRUCTURAL PEST CONTROL BOARD**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2015-2

12 **JAMES ALLEN WERNLI**  
13 **P.O. Box 1660**  
**Claremont, CA 91711**

OAH No. 2014090351

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

14 **Field Representative License No. FR 33331**

15 Respondent.

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17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
18 entitled proceedings that the following matters are true:

19 PARTIES

20 1. Susan Saylor (Complainant) is the Registrar/Executive Officer of the Structural Pest  
21 Control Board. She brought this action solely in her official capacity and is represented in this  
22 matter by Kamala D. Harris, Attorney General of the State of California, by Cristina Felix,  
23 Deputy Attorney General.

24 2. James Allen Wernli (Respondent) is representing himself in this proceeding and has  
25 chosen not to exercise his right to be represented by counsel.

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1           3. On or about April 12, 2001, the Structural Pest Control Board issued Field  
2 Representative License No. FR 33331 to James Allen Wernli (Respondent). The Field  
3 Representative License was in full force and effect at all times relevant to the charges brought in  
4 Accusation No. 2015-2 and will expire on June 30, 2015, unless renewed.

5                                   JURISDICTION

6           4. Accusation No. 2015-2 was filed before the Structural Pest Control Board (Board),  
7 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
8 and all other statutorily required documents were properly served on Respondent on July 31,  
9 2014. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of  
10 Accusation No. 2015-2 is attached as Exhibit A and incorporated by reference.

11                                   ADVISEMENT AND WAIVERS

12           5. Respondent has carefully read, and understands the charges and allegations in  
13 Accusation No. 2015-2. Respondent also has carefully read, and understands the effects of this  
14 Stipulated Surrender of License and Order.

15           6. Respondent is fully aware of his legal rights in this matter, including the right to a  
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at  
17 his own expense; the right to confront and cross-examine the witnesses against him; the right to  
18 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel  
19 the attendance of witnesses and the production of documents; the right to reconsideration and  
20 court review of an adverse decision; and all other rights accorded by the California  
21 Administrative Procedure Act and other applicable laws.

22           7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
23 every right set forth above.

24                                   CULPABILITY

25           8. Respondent admits the truth of each and every charge and allegation in Accusation  
26 No. 2015-2, agrees that cause exists for discipline and hereby surrenders his Field Representative  
27 License No. FR 33331 for the Board's formal acceptance.

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ORDER

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2           IT IS HEREBY ORDERED that Field Representative License No. FR 33331, issued to  
3 Respondent James Allen Wernli, is surrendered and accepted by the Structural Pest Control  
4 Board.

5           1.    The surrender of Respondent's Field Representative License and the acceptance of  
6 the surrendered license by the Board shall constitute the imposition of discipline against  
7 Respondent. This stipulation constitutes a record of the discipline and shall become a part of  
8 Respondent's license history with the Structural Pest Control Board.

9           2.    Respondent shall lose all rights and privileges as a Field Representative in California  
10 as of the effective date of the Board's Decision and Order.

11           3.    Respondent shall cause to be delivered to the Board his pocket license and, if one was  
12 issued, his wall certificate on or before the effective date of the Decision and Order.

13           4.    If Respondent ever files an application for licensure or a petition for reinstatement in  
14 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
15 comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
16 effect at the time the petition is filed, and all of the charges and allegations contained in  
17 Accusation No. 2015-2 shall be deemed to be true, correct and admitted by Respondent when the  
18 Board determines whether to grant or deny the petition.

19           5.    Respondent shall pay the agency its costs of investigation and enforcement in the  
20 amount of \$1,690.00 prior to issuance of a new or reinstated license.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Field Representative License.

I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Structural Pest Control Board.

DATED: 1/29/2015 James Allen Wernli  
JAMES ALLEN WERNLI  
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Structural Pest Control Board of the Department of Consumer Affairs.

Dated: Respectfully submitted,  
KAMALA D. HARRIS  
Attorney General of California  
THOMAS RINALDI  
Supervising Deputy Attorney General  
  
CRISTINA FELIX  
Deputy Attorney General  
*Attorneys for Complainant*

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DATED: \_\_\_\_\_

JAMES ALLEN WERNLI  
Respondent

ENDORSEMENT

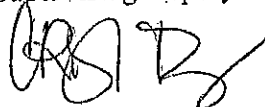
The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Structural Pest Control Board of the Department of Consumer Affairs.

Dated:

1/30/2015

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
THOMAS RINALDI  
Supervising Deputy Attorney General



CRISTINA FELIX  
Deputy Attorney General  
*Attorneys for Complainant*

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