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

In the Matter of the Accusation Against:
JASON LEE HICKS
1553 North Sixth Street
Port Hueneme, CA 93041

Field Representative License No. FR 34633

Respondent.

Case No. 2015-55
DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about May 20, 2015, Complainant Susan Saylor, in her official capacity as the Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer Affairs (Board), filed Accusation No. 2015-55 against Jason Lee Hicks (Respondent) before the Structural Pest Control Board. (Accusation attached as Exhibit A.)
2. On or about May 8, 2002, the Board issued Field Representative License No. FR 34633 to Respondent. The Field Representative License was in full force and effect at all times relevant to the charges brought in Accusation No. 2015-55 and will expire on June 30, 2016, unless renewed.
3. On or about June 2, 2015, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2015-55, Statement to Respondent, Notice of Defense, Request for

1 Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at
2 Respondent's address of record which, pursuant to Business and Professions Code section 136, is
3 required to be reported and maintained with the Board. Respondent's address of record was and
4 is: 1553 North Sixth Street, Port Hueneme, CA 93041.

5 4. Service of the Accusation was effective as a matter of law under the provisions of
6 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
7 124.

8 5. Government Code section 11506 states, in pertinent part:

9 (c) The respondent shall be entitled to a hearing on the merits if the respondent
10 files a notice of defense, and the notice shall be deemed a specific denial of all parts
11 of the accusation not expressly admitted. Failure to file a notice of defense shall
12 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
13 may nevertheless grant a hearing.

14 6. Respondent failed to file a Notice of Defense within 15 days after service upon him
15 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.
16 2015-55.

17 7. California Government Code section 11520 states, in pertinent part:

18 (a) If the respondent either fails to file a notice of defense or to appear at the
19 hearing, the agency may take action based upon the respondent's express admissions
20 or upon other evidence and affidavits may be used as evidence without any notice to
21 respondent.

22 8. Pursuant to its authority under Government Code section 11520, the Board finds
23 Respondent is in default. The Board will take action without further hearing and, based on the
24 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
25 taking official notice of all the investigatory reports, exhibits and statements contained therein on
26 file at the Board's offices regarding the allegations contained in Accusation No. 2015-55, finds
27 that the charges and allegations in Accusation No. 2015-55, are separately and severally, found to
28 be true and correct by clear and convincing evidence.

9. Taking official notice of its own internal records, pursuant to Business and
Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
and Enforcement are \$590.00 as of August 14, 2015.

DETERMINATION OF ISSUES

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2 1. Based on the foregoing findings of fact, Respondent Jason Lee Hicks has subjected
3 his Field Representative License No. FR 34633 to discipline.

4 2. The agency has jurisdiction to adjudicate this case by default.

5 3. The Board is authorized to revoke Respondent's Field Representative License based
6 upon the following violations alleged in the Accusation which are supported by the evidence
7 contained in the Default Decision Evidence Packet in this case:

8 a. Respondent is subject to disciplinary action pursuant to Code sections 8641 and 8593
9 in that he failed to comply with Regulation 1950 by failing to verify that he completed all of the
10 required courses of continuing education in pest control approved by the Board. Specifically,
11 Respondent failed to produce copies documenting completion of sixteen (16) hours of continuing
12 education for the renewal period of July 1, 2010 through June 30, 2013, as requested by the
13 Board's representative.

14 b. Respondent is subject to disciplinary action pursuant to Code sections 8641 and 8637
15 in that he made a misrepresentation of a material fact to the Board or its designee in that on or
16 about July 18, 2013, Respondent sent back to the Board a completed license renewal application
17 signed under penalty of perjury that he had completed all sixteen (16) hours of continuing
18 education required for renewal of his license when in fact he had not completed the sixteen (16)
19 hours required for renewal of his license.

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ORDER

IT IS SO ORDERED that Field Representative License No. FR 34633, heretofore issued to Respondent Jason Lee Hicks, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on November 12, 2015.

It is so ORDERED October 13, 2015



FOR THE STRUCTURAL PEST CONTROL
BOARD
DEPARTMENT OF CONSUMER AFFAIRS

51879246.DOC
DOJ Matter ID:LA2015500706

Attachment:
Exhibit A: Accusation