

BEFORE THE
STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF PESTICIDE REGULATION
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 2011-51

SAMUEL C. EDLES, JR.
8037 Poinsettia Drive
Buena Park, CA 90620
Field Representative License (Branch 3) No.
FR 36162

Respondent.

DECISION AND ORDER

The attached Stipulated Settlement and Order is hereby adopted by the Structural Pest Control Board, Department of Pesticide Regulation, as its Decision in this matter.

This Decision shall become effective on January 11, 2012.

It is so ORDERED December 12, 2011.



FOR THE STRUCTURAL PEST CONTROL
BOARD
DEPARTMENT OF PESTICIDE REGULATION

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA K. SCHNEIDER
Supervising Deputy Attorney General
3 KAREN L. GORDON
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Attorneys for Complainant

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. 2011-51

12 **SAMUEL C. EDLES, JR.**
13 **8037 Poinsettia Drive**
Buena Park, CA 90620

**STIPULATED SETTLEMENT AND
ORDER**

14 **Field Representative License No. FR 36162**
15 **Branch 3**

16 Respondent.

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19 In the interest of a prompt and speedy settlement of this matter, consistent with the public
20 interest and the responsibility of the Structural Pest Control Board of the Department of Pesticide
21 Regulation, the parties hereby agree to the following Stipulated Settlement and Order which will
22 be submitted to the Board for approval and adoption as the final disposition of the Accusation.

23 **PARTIES**

24 1. William H. Douglas (Complainant) is the Interim Registrar/Executive Officer of the
25 Structural Pest Control Board. He brought this action solely in his official capacity and is
26 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
27 Karen L. Gordon, Deputy Attorney General.

1 **CULPABILITY**

2 8. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 2011-51.

4 **CIRCUMSTANCES IN MITIGATION**

5 9. Respondent has never been the subject of any disciplinary action. Respondent is
6 admitting responsibility at an early stage in the proceedings.

7 **CONTINGENCY**

8 10. This stipulation shall be subject to approval by the Structural Pest Control Board.
9 Respondent understands and agrees that counsel for Complainant and the staff of the Structural
10 Pest Control Board may communicate directly with the Board regarding this stipulation and
11 settlement, without notice to or participation by Respondent. By signing the stipulation,
12 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the
13 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
14 stipulation as its Decision and Order, the Stipulated Settlement and Order shall be of no force or
15 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,
16 and the Board shall not be disqualified from further action by having considered this matter.

17 11. The parties understand and agree that facsimile copies of this Stipulated Settlement
18 and Order, including facsimile signatures thereto, shall have the same force and effect as the
19 originals.

20 12. This Stipulated Settlement and Order is intended by the parties to be an integrated
21 writing representing the complete, final, and exclusive embodiment of their agreement. It
22 supersedes any and all prior or contemporaneous agreements, understandings, discussions,
23 negotiations, and commitments (written or oral). This Stipulated Settlement and Order may not
24 be altered, amended, modified, supplemented, or otherwise changed except by a writing executed
25 by an authorized representative of each of the parties.

26 13. In consideration of the foregoing admissions and stipulations, the parties agree that
27 the Board may, without further notice or formal proceeding, issue and enter the following Order:

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ORDER

14. Complainant William H. Douglas, Interim Registrar/Executive Officer of the Structural Pest Control Board, shall withdraw the pending Accusation No. 2011-51 upon the issuance of a citation to Field Representative License No. FR 36162 issued to Respondent Samuel C. Edles, Jr., pursuant to California Code of Regulations, title 16, section 1920, as follows:

(a) Respondent shall be cited for violation of California Code of Regulations, title 16, section 1950(a), by failing to submit verification of completing continuing education courses by producing certificates of completion for the renewal period of July 1, 2006, through June 30, 2009, as requested by the Board on December 8, 2009, February 8, 2010, May 11, 2010, and October 5, 2010.

(b) Within six months, Respondent shall successfully complete seven hours of Board-approved continuing education courses. These courses are in addition to and cannot be used to satisfy continuing education license renewal requirements; and

(c) Within six months of the issuance of the citation provided for in this Stipulation, Respondent shall pay to the Registrar costs of prosecution in the amount of \$1,632.50.

15. Failure to comply with this agreement within the time agreed upon will subject Respondent's license to discipline.

ACCEPTANCE

I have carefully read the Stipulated Settlement and Order. I understand the stipulation and the effect it will have on my Field Representative License. I enter into this Stipulated Settlement and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Structural Pest Control Board.

DATED: AUG. 30 2011



SAMUEL C. EDLES, JR.
Respondent

1 **ENDORSEMENT**

2 The foregoing Stipulated Settlement and Order is hereby respectfully submitted for
3 consideration by the Structural Pest Control Board of the Department of Pesticide Regulation.

4 Dated: August 16, 2011

5 Respectfully submitted,

6 KAMALA D. HARRIS
7 Attorney General of California
8 LINDA K. SCHNEIDER
9 Supervising Deputy Attorney General

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11 KAREN L. GORDON
12 Deputy Attorney General
13 *Attorneys for Complainant*

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Exhibit A

Accusation No. 2011-51

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA K. SCHNEIDER
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Attorneys for Complainant

FILED

Date 4/15/11

By

William Douglas

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13 **8037 Poinsettia Drive**
14 **Buena Park, CA 90620**

ACCUSATION

15 **Field Representative License No. FR 36162**
Branch 3

16 Respondent.

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19 Complainant alleges:

20 **PARTIES**

21 1. William Douglas (Complainant) brings this Accusation solely in his official capacity
22 as the Interim Executive Officer of the Structural Pest Control Board, Department of Pesticide
23 Regulation.

24 2. On or about July 11, 2003, the Structural Pest Control Board issued Field
25 Representative License Number FR 36162 in Branch 3 to Samuel C. Edles, Jr. (Respondent). The
26 Field Representative License (Branch 3) was in full force and effect at all times relevant to the
27 charges brought herein and will expire on June 30, 2012, unless renewed.

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1 continuing education certificates for the renewal period to the Board within fourteen (14) days.
2 Respondent was advised that if he failed to comply with the requests, his license would be subject
3 to disciplinary action. Respondent was unable to provide the Board with any continuing
4 education certificates for the renewal period of July 1, 2006 through June 30, 2009.

5 **FIRST CAUSE FOR DISCIPLINE**
6 **(Failure to Verify Completion of Continuing Education)**

7 14. Respondent is subject to discipline under section 8641 of the Code on the grounds
8 that Respondent failed to comply with California Code of Regulation, Title 16, section 1950(a),
9 by failing to submit verification of completing continuing education courses by producing
10 certificates of completion for the renewal period of July 1, 2006 through June 30, 2009, as
11 requested by the Board on December 8, 2009, February 8, 2010, May 11, 2010, and October 5,
12 2010.
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14 **SECOND CAUSE FOR DISCIPLINE**
15 **(Misrepresentation in Renewing License)**

16 15. Respondent is subject to discipline under section 8637 of the Code for
17 misrepresentation of a material fact on his August 14, 2009 Delinquent License Renewal
18 Application by stating that he had completed the required continuing education hours to renew his
19 license, when in fact he had not done so.

20 **OTHER MATTERS**

21 16. Code section 8620 provides, in pertinent part, that a respondent may request that a
22 civil penalty of not more than \$5,000 be assessed in lieu of an actual suspension of 1 to 19 days,
23 or not more than \$10,000 for an actual suspension of 20 to 45 days. Such request must be made
24 at the time of the hearing and must be noted in the proposed decision. The proposed decision
25 shall not provide that a civil penalty shall be imposed in lieu of a suspension.
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