

**FILED**

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Date 3/10/11 By *Kelli Okuma*

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

11 In the Matter of the Accusation Against:  
12 **SHELLEY MARTIN**  
13 **8050 South Padre Island Drive, Suite P-11**  
**Corpus Christi, TX 78412**  
14 **Field Representative License No. FR 36462,**  
15 **Branches 2 and 3**  
16 Respondent.

Case No. 2011-18  
**AMENDED ACCUSATION**

17  
18 Complainant alleges:

19 PARTIES

20 1. Kelli Okuma (Complainant) brings this Amended Accusation solely in her official  
21 capacity as the Registrar/Executive Officer of the Structural Pest Control Board, Department of  
22 Pesticide Regulation.

23 2. On or about September 25, 2003, the Structural Pest Control Board issued Field  
24 Representative License No. FR 36462, Branch 3, to Shelley Martin (Respondent). On or about  
25 December 4, 2003, Field Representative License No. FR 36462 was upgraded to Branches 2 and  
26 3. Field Representative License No. FR 36462 was in full force and effect at all times relevant to  
27 the charges brought herein and will expire on June 30, 2012, unless renewed.

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1 contained in the application was true and correct, including information regarding continuing  
2 education requirements. In order to assure compliance with the continuing education  
3 requirements for the 2009 renewal period, Respondent was instructed by letters dated December  
4 3, 2009, March 24, 2010, and April 22, 2010, to submit to the Board copies of continuing  
5 education completion certificates for the renewal period of July 1, 2006 through June 30, 2009.

6 FIRST CAUSE FOR DISCIPLINARY ACTION  
7 (Failure to Provide Proof of Continuing Education)  
8 (Bus. & Prof. Code § 8641)

9 14. Respondent has subjected his Field Representative License to disciplinary action  
10 under Code section 8641 in that he failed to comply with the requirements of Title 16, California  
11 Code of Regulations, section 1950, subdivision (d). Specifically, Respondent failed to provide  
12 proof of having acquired 20 hours of continuing education, as he claimed on his renewal  
13 application dated September 24, 2009. On or about December 3, 2009 and March 24, 2009, the  
14 Board directed Respondent to submit copies of his continuing education certificates for the three  
15 year renewal period of July 1, 2006 through June 30, 2009. On or about April 13, 2010,  
16 Respondent admitted to the Board that he only completed two continuing education hours for the  
17 renewal period of July 1, 2006 through June 30, 2009.

18 SECOND CAUSE FOR DISCIPLINARY ACTION  
19 (Misrepresentation)  
20 (Bus. & Prof. Code § 8637)

21 15. Respondent has subjected his Field Representative License to disciplinary action  
22 under Code section 8637 in that he obtained the renewal of her license by misrepresenting the  
23 material fact that he had acquired 20 hours of continuing education, when, in fact, he had not.

24 THIRD CAUSE FOR DISCIPLINARY ACTION  
25 (Fraudulent Act)  
26 (Bus. & Prof. Code § 8642)

27 16. Respondent has subjected his Field Representative License to disciplinary action  
28 under Code section 8642 in that he committed a fraudulent act by certifying under penalty of  
perjury on his renewal application that he had acquired and could demonstrate 20 hours of  
continuing education in order to meet the license renewal requirements pursuant to Title 16,

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1 California Code of Regulations, section 1950, subdivision (d), when, in fact, he failed to obtain  
2 20 hours of continuing education and/or failed to demonstrate that he had done so.

3 PRAYER

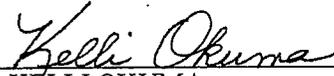
4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
5 and that following the hearing, the Structural Pest Control Board issue a decision:

6 1. Revoking or suspending Field Representative Number FR 36462, issued to Shelley  
7 Martin;

8 2. Ordering Shelley Martin to pay the Structural Pest Control Board the reasonable costs  
9 of the investigation and enforcement of this case, pursuant to Business and Professions Code  
10 section 125.3; and

11 3. Taking such other and further action as deemed necessary and proper.

12  
13 DATED: 3/10/11



14 KELLI OKUMA  
15 Registrar/Executive Officer  
16 Structural Pest Control Board  
17 Department of Pesticide Regulation  
18 State of California  
19 Complainant

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21 CR: 03/10/11  
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