

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

In the Matter of the Accusation Against:

MARK ANTHONY GRUBERT  
6278 Prentis Court  
Magalia, CA 95954

Field Representative License No. FR 37981  
Branches 2 and 3

Respondent.

Case No. 2013-39

OAH No. 2013080396

**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 September 25, 2014.

It is so ORDERED August 26, 2014.

  
FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS

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

11 In the Matter of the First Amended Accusation  
Against:  
12 **MARK ANTHONY GRUBERT**  
6278 Prentis Court  
13 Magalia, CA 95954  
14 **Field Representative License No. FR 37981**  
Branches 2 and 3

Case No. 2013-39  
OAH No. 2013080396

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15  
16 Respondent.

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

20 **PARTIES**

21 1. Susan Saylor ("Complainant") is the Registrar/Executive Officer of the Structural  
22 Pest Control Board ("Board"), Department of Consumer Affairs. She brought this action solely  
23 in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of  
24 the State of California, by Leslie A. Burgermyer, Deputy Attorney General.

25 2. Mark Anthony Grubert ("Respondent") is represented in this proceeding by attorney  
26 Maximilian Griffiths Barteau, Esq., whose address is P.O. Box 775, Paradise, CA 95967.

27 3. On or about November 29, 2004, the Board issued Field Representative License No.  
28 FR 37981, Branches 2 and 3, to Respondent. The Field Representative License was in full force

1 and effect at all times relevant to the charges brought in First Amended Accusation No. 2013-39  
2 and will expire on June 30, 2016, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 2013-39 was filed before the Board against Respondent. The  
5 Accusation and all other statutorily required documents were properly served on Respondent on  
6 March 25, 2013. Respondent timely filed his Notice of Defense contesting the Accusation. First  
7 Amended Accusation No. 2013-39 was filed before the Board on February 21, 2014, and is  
8 currently pending against Respondent. The First Amended Accusation supersedes the original  
9 Accusation in all respects. A copy of First Amended Accusation No. 2013-39 is attached as  
10 Exhibit A and incorporated by reference.

11 **ADVISEMENT AND WAIVERS**

12 5. Respondent has carefully read, fully discussed with counsel, and understands the  
13 charges and allegations in First Amended Accusation No. 2013-39. Respondent also has  
14 carefully read, fully discussed with counsel, and understands the effects of this Stipulated  
15 Surrender of License and Order.

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

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

25 **CULPABILITY**

26 8. Respondent admits the truth of each and every charge and allegation in First  
27 Amended Accusation No. 2013-39, agrees that cause exists for discipline and hereby surrenders  
28 his Field Representative License No. FR 37981 for the Board's formal acceptance.



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

3 **ORDER**

4 **IT IS HEREBY ORDERED** that Field Representative License No. FR 37981, Branches 2  
5 and 3, issued to Respondent Mark Anthony Grubert ("Respondent"), is surrendered and accepted  
6 by the Structural Pest Control Board ("Board").

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

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

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

15 4. If Respondent ever files an application for licensure or a petition for reinstatement in  
16 the State of California, then the Board shall treat it as a petition for reinstatement. Respondent  
17 must comply with all the laws, regulations and procedures for reinstatement of a revoked license  
18 in effect at the time the petition is filed, and all of the charges and allegations contained in First  
19 Amended Accusation No. 2013-39 shall be deemed to be true, correct and admitted by  
20 Respondent when the Board determines whether to grant or deny the petition.

21 Respondent shall pay the agency its costs of investigation and enforcement in the  
22 amount of \$~~6,650.00~~ <sup>5</sup> *MS/AG* *SAB/JS* prior to issuance of a new or reinstated license.

23 6. If Respondent should ever apply or re-apply for a new license or certification, or  
24 petition for reinstatement of a license, by any licensing agency in the State of California, then all  
25 of the charges and allegations contained in Accusation, No. 2013-39 shall be deemed to be true,  
26 correct, and admitted by Respondent for the purpose of any Statement of Issues or any other  
27 proceeding seeking to deny or restrict licensure.  
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