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FILED

Date 10/29/14 By *Susan Saylor*

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

12 In the Matter of the Accusation Against:

Case No. 2015-25

13 **ROBERTO CISNEROS RAMOS**
14 **1305 E. Olive Avenue**
15 **Fresno, CA 93729**
16 **-and-**
17 **2605 Lewis**
18 **Selma, CA 93662**

ACCUSATION

19 **Field Representative License No. FR 40502**

20 Respondent.

21 Susan Saylor ("Complainant") alleges:

22 **PARTIES**

23 1. Complainant brings this Accusation solely in her official capacity as the
24 Registrar/Executive Officer of the Structural Pest Control Board ("Board"), Department of
25 Consumer Affairs.

26 2. On or about July 26, 2006, the Board issued Field Representative License Number FR
27 40502 Roberto Cisneros Ramos ("Respondent"). The license was in full force and effect at all
28 times relevant to the charges brought herein and will expire on June 30, 2015, unless renewed.

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1 depends on the number of branches of pest control in which licenses are held. The
2 subject matter covered by each activity shall be designated as "technical" or "general"
3 by the Board when the activity is approved. Hour values shall be assigned by the
4 Board to each approved educational activity, in accordance with the provisions of
5 section 1950.5.

6 (d) Field representatives licensed in one branch of pest control shall have
7 completed 16 continuing education hours, field representatives licensed in two
8 branches of pest control shall have completed 20 continuing education hours, field
9 representatives licensed in three branches of pest control shall have completed 24
10 continuing education hours during each three year renewal period. In each case, a
11 minimum of four continuing education hours in a technical subject directly related to
12 each branch of pest control held by the licensee must be gained for each branch of
13 pest control licensed and a minimum of eight hours must be gained from Board
14 approved courses on the Structural Pest Control Act, the Rules and Regulations, or
15 structural pest control related agencies' rules and regulations.

16 COST RECOVERY

17 8. Code section 125.3 states, in pertinent part, that a Board may request the
18 administrative law judge to direct a licentiate found to have committed a violation or violations of
19 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
20 enforcement of the case.

21 BACKGROUND INFORMATION

22 9. In or about June 2012, Respondent submitted a License Renewal Application to
23 the Board. On or about June 15, 2012, Respondent certified under penalty of perjury to the
24 truthfulness of all statements, answers, and representations in the application, including the
25 successful completion of 20 hours of continuing education during the renewal period of July 1,
26 2009, through June 30, 2012.

27 10. On or about November 28, 2012, January 9, 2013, and October 23, 2013, the
28 Board sent Respondent written requests for copies of his continuing education certificates to
verify the 20 hours of continuing education set forth on his renewal application dated
June 15, 2012. Respondent was advised on each occasion that if he failed to submit verification
of his continuing education within fourteen (14) days, his field representative's license would be
subject to disciplinary action.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Failure to Verify Completion of Continuing Education)**

3 11. Respondent is subject to discipline under Code section 8641, for failure to comply
4 with California Code of Regulation, title 16, section 1950, by failing to submit verification that he
5 had completed 20 hours of continuing education. Respondent failed to submit copies of the
6 continuing education certificates as requested by the Board on November 28, 2012,
7 January 9, 2013, and October 23, 2013.

8 **OTHER MATTERS**

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

14 13. Pursuant to Code section 8654, if discipline is imposed on Field Representative's
15 License Number FR 40502, issued to Roberto Cisneros Ramos, then Roberto Cisneros Ramos
16 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or
17 responsible managing employee for any registered company during the time the discipline is
18 imposed, and any registered company which employs, elects, or associates him shall be subject to
19 disciplinary action.

20 **PRAYER**

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

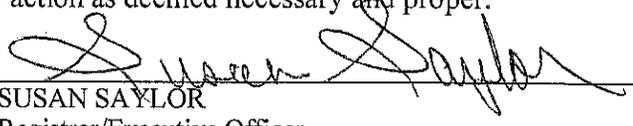
- 23 1. Revoking or suspending Field Representative's License Number FR 40502, issued
24 to Roberto Cisneros Ramos;
- 25 2. Prohibiting Roberto Cisneros Ramos from serving as an officer, director, associate,
26 partner, qualifying manager or responsible managing employee of any registered company during
27 the period that discipline is imposed on Field Representative's License Number FR 40502, issued
28 to Roberto Cisneros Ramos;

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3. Ordering Roberto Cisneros Ramos to pay the Structural Pest Control Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

4. Taking such other and further action as deemed necessary and proper.

DATED: 10/29/14



SUSAN SAYLOR
Registrar/Executive Officer
Structural Pest Control Board
Department of Consumer Affairs
State of California
Complainant

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