

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

In the Matter of the Accusation Against:

ROBERT PEREZ SORIA
4335 Van Nuys Blvd., #327
Sherman Oaks, CA 91403
Field Representative License No. FR 41322

Respondent.

Case No. 2014-34

OAH No. 2014100447

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary 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 August 28, 2015.

It is so ORDERED July 29, 2015.



FOR THE STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS
Attorney General of California
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Supervising Deputy Attorney General
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Attorneys for Complainant
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8 **BEFORE THE**
STRUCTURAL PEST CONTROL BOARD
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2014-34

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13 **Sherman Oaks, CA 91403**
Field Representative License No. FR 41322

OAH No. 2014100447

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

14 Respondent.

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

19 PARTIES

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

24 2. Respondent Robert Perez Soria is represented in this proceeding by attorney Lloyd D.
25 Dix, whose address is:
26 22287 Mulholland Highway PMB 414
27 Calabasas, CA 91302

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1 3. On or about February 9, 2007, the Structural Pest Control Board issued Field
2 Representative License No. FR 41322 to Robert Perez Soria ("Respondent"). The Field
3 Representative License was in full force and effect at all times relevant to the charges brought in
4 Accusation No. 2014-34 and will expire on June 30, 2015, unless renewed.

5 JURISDICTION

6 4. Accusation No. 2014-34 was filed before the Structural Pest Control Board
7 ("Board"), Department of Consumer Affairs, and is currently pending against Respondent. The
8 Accusation and all other statutorily required documents were properly served on Respondent on
9 January 27, 2014. Respondent timely filed his Notice of Defense contesting the Accusation.

10 5. A copy of Accusation No. 2014-34 is attached as exhibit A and incorporated herein
11 by reference.

12 ADVISEMENT AND WAIVERS

13 6. Respondent has carefully read, fully discussed with counsel, and understands the
14 charges and allegations in Accusation No. 2014-34. Respondent has also carefully read, fully
15 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
16 Order.

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

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

26 CULPABILITY

27 9. Respondent admits the truth of each and every charge and allegation in Accusation
28 No. 2014-34.

1 10. Respondent agrees that his Field Representative License is subject to discipline and
2 he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order
3 below.

4 CONTINGENCY

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

15 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
16 copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format
17 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

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

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

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1 DISCIPLINARY ORDER

2 IT IS HEREBY ORDERED that Field Representative License No. FR 41322 issued to
3 Respondent is revoked. However, the revocation is stayed and Respondent is placed on probation
4 for three (3) years on the following terms and conditions.

5 **Actual Suspension.** Field Representative License No. FR 41322 issued to Respondent
6 Robert Perez Soria is suspended for 5 days beginning on the effective date of the decision in case
7 No. 2014-34.

8 1. **Obey All Laws.** Respondent shall obey all federal, state, and local laws along with
9 all laws and rules relating to the practice of structural pest control.

10 2. **Quarterly Reports.** Respondent shall file quarterly reports with the Board during
11 the period of probation.

12 3. **Tolling of Probation.** Should Respondent leave California to reside outside this
13 state, Respondent must notify the Board in writing of the dates of departure and return. Periods
14 of residency or practice outside the state shall not apply to reduction of the probationary period.

15 4. **Notice to Employers.** Respondent shall notify all present and prospective employers
16 of the decision in case No. 2014-34 and the terms, conditions, and restrictions imposed on
17 Respondent by said decision.

18 Within 30 days of the effective date of this decision, and within 15 days of Respondent
19 undertaking new employment, Respondent shall cause his/her employer to report to the Board in
20 writing acknowledging the employer has read the decision in case No. 2014-34.

21 5. **Notice to Employees.** Respondent shall, upon or before the effective date of this
22 decision, post or circulate a notice to all employees involved in structural pest control operations
23 which accurately recite the terms and conditions of probation. Respondent shall be responsible
24 for said notice being immediately available to said employees. "Employees" as used in this
25 provision includes all full-time, part-time, temporary and relief employees and independent
26 contractors employed or hired at any time during probation.

27 6. **Completion of Probation.** Upon successful completion of probation, Respondent's
28 license will be fully restored.

1 7. **Violation of Probation.** Should Respondent violate probation in any respect, the
2 Board, after giving Respondent notice and an opportunity to be heard, may revoke probation and
3 carry out the disciplinary order which was stayed. If a petition to revoke probation is filed against
4 Respondent during probation, the Board shall have continuing jurisdiction until the matter is
5 final, and the period of probation shall be extended until the matter is final.

6 8. **Prohibited from Serving as Officer, Director, Associate, Partner or Qualifying**
7 **Manager.** Respondent is prohibited from serving as an officer, director, associate, partner,
8 qualifying manager or branch office manager of any registered company during the period that
9 discipline is imposed on Field Representative License No. FR 41322.

10 9. **Cost Recovery.** Respondent shall reimburse the Board its costs of investigation and
11 enforcement in the amount of \$2,380.00 pursuant to a payment plan approved by the Board. This
12 amount shall be paid in full no later than 3 months prior to the end of probation. Probation shall
13 not be terminated until all costs are paid in full.

14 10. **Restoration Bond.** Pursuant to Business and Professions Code section 8697.3,
15 Respondent shall, as a condition to the restoration of Field Representative License No. FR 41322,
16 file a surety bond in the sum of \$1,000 prior to the last day of suspension. Respondent shall post
17 such bond with the Registrar for the duration of the probation term.

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ACCEPTANCE

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

DATED: 5-22-15 ROBERT PEREZ SORIA
ROBERT PEREZ SORIA
Respondent

I have read and fully discussed with Respondent Robert Perez Soria the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 5/22/15 [Signature]
Lloyd D. Dix
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Structural Pest Control Board.

Dated: 5/22/15

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
THOMAS L. RINALDI
Supervising Deputy Attorney General

[Signature]
M. TRAVIS PEERY
Deputy Attorney General
Attorneys for Complainant

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