

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

In the Matter of the Accusation Against:

Case No. 2015-65

**MICHAEL A. MCDANIEL**  
6619 Stanford Avenue  
Garden Grove, CA 92845

**Field Representative License No. FR 42581**

Respondent.

**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 November 21, 2015.

It is so ORDERED October 22, 2015.

  
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FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS

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

12 In the Matter of the Accusation Against:

Case No. 2015-65

13 **MICHAEL A. MCDANIEL**  
14 **6619 Stanford Avenue**  
**Garden Grove, CA 92845**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 **Field Representative License No. FR 42581**

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 Pest  
22 Control Board. She brought this action solely in her official capacity and is represented in this  
23 matter by Kamala D. Harris, Attorney General of the State of California, by Amanda Dodds,  
24 Senior Legal Analyst.

25 2. Michael A. McDaniel (Respondent) is representing himself in this proceeding and has  
26 chosen not to exercise his right to be represented by counsel.

27 3. On or about December 4, 2007, the Structural Pest Control Board issued Field  
28 Representative License No. FR 42581 in Branches 2 and 3 to Michael A. McDaniel

1 (Respondent). The Field Representative License was in full force and effect at all times relevant  
2 to the charges brought in Accusation No. 2015-65 and will expire on June 30, 2016, unless  
3 renewed.

#### 4 **JURISDICTION**

5 4. Accusation No. 2015-65 was filed before the Structural Pest Control Board (Board),  
6 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
7 and all other statutorily required documents were properly served on Respondent on June 29,  
8 2015. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of  
9 Accusation No. 2015-65 is attached as Exhibit A and incorporated by reference.

#### 10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, and understands the charges and allegations in  
12 Accusation No. 2015-65. Respondent also has carefully read, and understands the effects of this  
13 Stipulated Surrender of License and Order.

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

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

#### 23 **CULPABILITY**

24 8. Respondent admits the truth of each and every charge and allegation in Accusation  
25 No. 2015-65, agrees that cause exists for discipline and hereby surrenders his Field  
26 Representative License No. FR 42581 for the Board's formal acceptance.

27 9. Respondent understands that by signing this stipulation he enables the Board to issue  
28 an order accepting the surrender of his Field Representative License without further process.



1 Respondent. This stipulation constitutes a record of the discipline and shall become a part of  
2 Respondent's license history with the Structural Pest Control Board.

3 2. Respondent shall lose all rights and privileges as a field representative in California  
4 as of the effective date of the Board's Decision and Order.

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

7 4. If Respondent ever applies for licensure or petitions for reinstatement in the State of  
8 California, the Board shall treat it as a petition for reinstatement. Respondent must comply with  
9 all the laws, regulations and procedures for licensure in effect at the time the application or  
10 petition is filed, and all of the charges and allegations contained in Accusation No. 2015-65 shall  
11 be deemed to be true, correct and admitted by Respondent when the Board determines whether to  
12 grant or deny the application or petition.

13 5. Respondent shall pay the agency its costs of investigation and enforcement in the  
14 amount of \$432.50 prior to issuance of a new or reinstated license.

15 6. Respondent shall not apply for licensure or petition for reinstatement for one (1) year  
16 from the effective date of the Structural Pest Control Board's Decision and Order.

17 **ACCEPTANCE**

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

22  
23 DATED: 8-24-15

  
MICHAEL A. MCDANIEL  
Respondent

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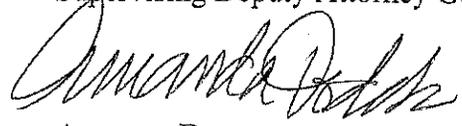
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1 **ENDORSEMENT**

2 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
3 for consideration by the Structural Pest Control Board of the Department of Consumer Affairs.

4  
5 Dated: 8/25/15

6 Respectfully submitted,  
7 KAMALA D. HARRIS  
8 Attorney General of California  
9 GREGORY J. SALUTE  
10 Supervising Deputy Attorney General



11 AMANDA DODDS  
12 Senior Legal Analyst  
13 *Attorneys for Complainant*

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