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8	BEFOR STRUCTURAL PEST	
9	DEPARTMENT OF CO STATE OF C	ONSUMER AFFAIRS
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11	In the Matter of the Accusation Against:	Case No. 2014-28
12	DANA LYNN THOMAS	DEFAULT DECISION AND ORDER
13	1531 Paulann Court Fallbrook, CA 92028	[Gov. Code, §11520]
14	Field Representative License No. FR 43442	
15	Field Representative License No. FR 32608 Operator License No. OPR 8589	
16	Respondent.	
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18	FINDINGS 1. On or about November 1, 2013, Com	
19	the Registrar/Executive Officer of the Structural	Iplainant Susan Saylor, in her official capacity as
20	Consumer Affairs, filed Accusation No. 2014-28	
21	the Board. (Accusation attached as Exhibit A.)	against Respondent Dana Lynn Thomas before
22 23		Field Representative License No. FR 43442 to
23	Respondent. The Field Representative License v	
24		and will expire on June 30, 2014, unless renewed.
26		d Field Representative License No. FR 32608 to
27	Respondent. The Field Representative License e	
28	renewed. This lapse in licensure, however, pursu	-
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1	sections 118(b) and 3625 does not deprive the Board of its authority to institute or continue this	
2	disciplinary proceeding.	
3	4. On August 13, 1990, the Board issued Operator License No. OPR 8589 to	
4	Respondent. The Operator License expired on June 30, 2005, and has not been renewed. This	
5	lapse in licensure, however, pursuant to Code sections 118(b) and 3625 does not deprive the	
6	Board of its authority to institute or continue this disciplinary proceeding.	
7	5. On November 6, 2013, Respondent was served by Certified and First Class Mail	
8	copies of the Accusation No. 2014-28, Statement to Respondent, Notice of Defense, Request for	
9	Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at	
10	Respondent's address of record which, pursuant to Business and Professions Code section 136, is	
11	required to be reported and maintained with the Board. Respondent's address of record was and	
12	is 1531 Paulann Court, Fallbrook, CA 92028.	
13	6. Service of the Accusation was effective as a matter of law under the provisions of	
14	Government Code section 11505, subdivision (c) and/or Code section 124.	
15	7. On November 8, 2013, Respondent signed a U.S. Postal Service certified mail receipt	
16	for delivery of the aforementioned documents.	
17	8. Government Code section 11506 states, in pertinent part:	
18	(c) The respondent shall be entitled to a hearing on the merits if the respondent	
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20	constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing.	
21	9. Respondent failed to file a Notice of Defense within 15 days after service upon her of	
22	the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2014-	
23	28.	
24	10. Government Code section 11520 states, in pertinent part:	
25	(a) If the respondent either fails to file a notice of defense or to appear at the hearing, the agency may take action based upon the respondent's express admissions	
26	or upon other evidence and affidavits may be used as evidence without any notice to	
27	respondent.	
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	DEFAULT DECISION AND ORDER	

Pursuant to its authority under Government Code section 11520, the Board finds 11. 1 Respondent is in default. The Board will take action without further hearing and, based on the 2 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as 3 taking official notice of all the investigatory reports, exhibits and statements contained therein on 4 file at the Board's offices regarding the allegations contained in Accusation No. 2014-28, finds 5 that the charges and allegations in Accusation No. 2014-28, are separately and severally, found to 6 be true and correct by clear and convincing evidence. 7 Taking official notice of its own internal records, pursuant to Code section 125.3, it is 12. 8 hereby determined that the reasonable costs for Investigation and Enforcement is \$1,972.50 as of 9 December 6, 2013. 10 DETERMINATION OF ISSUES 11 Based on the foregoing findings of fact, Respondent Dana Lynn Thomas has 1. 12 subjected her Field Representative License No. FR 43442 to discipline. 13 2. The agency has jurisdiction to adjudicate this case by default. 14 The Structural Pest Control Board is authorized to revoke Respondent's Field 3. 15 Representative License based upon the following violations alleged in the Accusation which are 16 supported by the evidence contained in the Default Decision Evidence Packet in this case. 17 Respondent is subject to disciplinary action under section under Code section a. 18 8641 in that she failed to verify the completion of 16 hours continuing education hours as claimed 19 on her renewal application dated June 10, 2011, as required by California Code of Regulations, 20 title 16, section 1950, subdivision (a) and (c), and having been requested by the Board to do so in 21 writing on October 20, 2011, November 27, 2012, and April 3, 2013. 22 Respondent is subject to disciplinary action under section 8637 for b. 23 misrepresentation of a material fact on her June 10, 2011 License Renewal Application by 24 certifying under penalty of perjury that she had completed the continuing education required to

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renew her license, when in fact she had not done so.

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1	ORDER		
2	IT IS SO ORDERED that Field Representative License No. FR 43442 heretofore issued to		
3	Respondent Dana Lynn Thomas, is revoked.		
4	Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a		
11	written motion requesting that the Decision be vacated and stating the grounds relied on within		
6	seven days after service of the Decision on Respondent. The agency in its discretion may vacate		
7	the Decision and grant a hearing on a showing of good cause, as defined in the statute.		
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9	This Decision shall become effective on February 8, 2014		
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11	It is so ORDERED January 9, 2014		
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15	FOR THE STRUCTURAL PEST CONTROL BOARD DEPARTMENT OF CONSUMER AFFAIRS		
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18	Attachment: Exhibit A: Accusation		
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	DEFAULT DECISION AND ORDE		

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