

BEFORE THE  
STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF PESTICIDE REGULATION  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 2013-20

**RONALD A. LOPEZ**  
8177 San Luis Avenue  
South Gate, CA 90280  
Field Representative's License No. FR 43968


Respondent.

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Structural Pest Control Board, Department of Pesticide Regulation, as its Decision in this matter.

This Decision shall become effective on May 29, 2013.

It is so ORDERED April 29, 2013.

  
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FOR THE STRUCTURAL PEST CONTROL  
BOARD  
DEPARTMENT OF PESTICIDE REGULATION

1 KAMALA D. HARRIS  
Attorney General of California  
2 MARC D. GREENBAUM  
Supervising Deputy Attorney General  
3 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
4 State Bar No. 164015  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2520  
6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF PESTICIDE REGULATION**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

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14 **8177 San Luis Avenue**  
**South Gate, CA 90280**  
15 **Field Representative's License No. FR 43968**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

Respondent.

16  
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 Interim Registrar/Executive Officer of the  
21 Structural Pest Control Board. She brought this action solely in her official capacity and is  
22 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
23 Gregory J. Salute, Supervising Deputy Attorney General.

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

26 3. On or about January 20, 2009, the Structural Pest Control Board issued Field  
27 Representative's License No. FR 43968 to Ronald A. Lopez (Respondent). The Field  
28

1 Representative's License was in full force and effect at all times relevant to the charges brought in  
2 Accusation No. 2013-20 and will expire on June 30, 2014, unless renewed.

3 JURISDICTION

4 4. Accusation No. 2013-20 was filed before the Structural Pest Control Board (Board),  
5 Department of Pesticide Regulation, and is currently pending against Respondent. The  
6 Accusation and all other statutorily required documents were properly served on Respondent on  
7 November 6, 2012. Respondent timely filed his Notice of Defense contesting the Accusation.

8 5. A copy of Accusation No. 2013-20 is attached as Exhibit A and incorporated herein  
9 by reference.

10 ADVISEMENT AND WAIVERS

11 6. Respondent has carefully read, and understands the charges and allegations in  
12 Accusation No. 2013-20. Respondent has also carefully read, and understands the effects of this  
13 Stipulated Settlement and Disciplinary Order.

14 7. 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 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
22 every right set forth above.

23 CULPABILITY

24 9. Respondent admits the truth of each and every charge and allegation in Accusation  
25 No. 2013-20.

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

CIRCUMSTANCES IN MITIGATION

1  
2       11. Respondent Ronald A. Lopez has never been the subject of any disciplinary action.  
3 He is admitting responsibility at an early stage in the proceedings.

CONTINGENCY

4  
5       12. 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. By signing the stipulation,  
9 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the  
10 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this  
11 stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of  
12 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between  
13 the parties, and the Board shall not be disqualified from further action by having considered this  
14 matter.

15       13. The parties understand and agree that facsimile copies of this Stipulated Settlement  
16 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and  
17 effect as the originals.

18       14. 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       15. 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:

27       ///

28       ///

**DISCIPLINARY ORDER**

1  
2 IT IS HEREBY ORDERED that Field Representative's License No. FR 43968 issued to  
3 Respondent Ronald A. Lopez (Respondent) is revoked. However, the revocation is stayed and  
4 Respondent is placed on probation for three (3) years on the following terms and conditions:

5 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws and all rules  
6 and regulations relating to the practice of structural pest control.

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

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

12 4. **Notice to Employers.** Respondent shall notify all present and prospective employers  
13 of the decision in Case No. 2013-20 and the terms, conditions and restriction imposed on  
14 Respondent by said decision.

15 Within 30 days of the effective date of this decision, and within 15 days of Respondent  
16 undertaking new employment, Respondent shall cause his/her employer to report to the Board in  
17 writing acknowledging the employer has read the decision in Case No. 2013-20.

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

24 6. **Completion of Probation.** Upon successful completion of probation, Respondent's  
25 license/certificate will be fully restored.

26 7. **Violation of Probation.** Should Respondent violate probation in any respect, the  
27 Board, after giving Respondent notice and an opportunity to be heard, may revoke probation and  
28 carry out the disciplinary order which was stayed. If a petition to revoke probation is filed against

1 Respondent during probation, the Board shall have continuing jurisdiction until the matter is final,  
2 and the period of probation shall be extended until the matter is final.

3       **8. Prohibited from Serving as Officer, Director, Associate, Partner or Qualifying**  
4 **Manager.** Respondent is prohibited from serving as an officer, director, associate, partner,  
5 qualifying manager or branch office manager of any registered company during the period that  
6 discipline is imposed on Field Representative's License No. FR 43968.

7       **9. No Interest In Any Registered Company.** Respondent shall not have any legal or  
8 beneficial interest in any company currently or hereinafter registered by the Board.

9       **10. Civil Penalty.** Respondent shall pay a civil penalty to the Board in the amount of  
10 \$1500.00. Upon request, Respondent shall be permitted to pay the civil penalty in a payment plan  
11 approved by the Board, with payments to be completed no later than six months prior to the end  
12 of the probation term. Probation shall not terminate until full payment has been made. Should  
13 any part of the civil penalty not be paid in accordance with the outlined payment schedule,  
14 Respondent shall be considered to be in violation of probation. Any order for payment of the  
15 civil penalty shall remain in effect whether or not probation is tolled. The filing of bankruptcy by  
16 the Respondent shall not relieve the Respondent of his responsibility to reimburse the Board for  
17 these costs.

18       **11. Additional Licenses.** Any additional license issued to Respondent by the Board  
19 (during the period that discipline is imposed on Field Representative's License No. FR 43968)  
20 shall also be placed on probation on the same terms and conditions as the current period of  
21 probation.


22       **12. Cost Recovery.** Respondent shall pay to the Board costs associated with its  
23 investigation and enforcement pursuant to Business and Professions Code Section 125.3 in the  
24 amount of \$1,122.50. Upon request, Respondent shall be permitted to pay these costs in a  
25 payment plan approved by the Board, with payments to be completed no later than six months  
26 prior to the end of the probation term. Probation shall not terminate until full payment has been  
27 made. Should any part of cost recovery not be paid in accordance with the outlined payment  
28 schedule, Respondent shall be considered to be in violation of probation. Any order for payment

1 of cost recovery shall remain in effect whether or not probation is tolled. The filing of  
2 bankruptcy by the Respondent shall not relieve the Respondent of his responsibility to reimburse  
3 the Board for these costs.

4 13. **Completion of Continuing Education.** Within 60 days of the effective date of the  
5 decision, Respondent shall provide proof to the Board of completion of 16 hours of continuing  
6 education courses approved by the Board, including eight (8) hours of Rules and Regulations,  
7 four (4) hours of technical in Branch 2, two (2) hours of Integrated Pest Management and two (2)  
8 hours of general. These hours cannot be used or counted towards renewal of Field Representative  
9 License No. FR 43968. Should Respondent fail to submit proof to the Board of completion of the  
10 16 hours of continuing education within the 60 day time period, it shall be considered a violation  
11 of probation and Field Representative License No. FR 43968 shall be suspended until proof is  
12 provided to the Board of satisfaction of this condition.

13 ACCEPTANCE

14 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the  
15 stipulation and the effect it will have on my Field Representative's License. I enter into this  
16 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree  
17 to be bound by the Decision and Order of the Structural Pest Control Board.

18  
19 DATED: 01-05-12   
20 RONALD A. LOPEZ  
21 Respondent  
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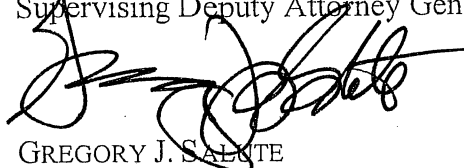
ENDORSEMENT

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

Dated: 1-8-2013

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
MARC D. GREENBAUM  
Supervising Deputy Attorney General



GREGORY J. SALTE  
Supervising Deputy Attorney General  
*Attorneys for Complainant*

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