

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

In the Matter of the Accusation Against:

MICHAEL RODRIGUEZ
6143 Penswood Avenue
Lakewood, CA 90712
Field Representative's License No. FR 44131
Applicator License No. RA 50058 (cancelled)

Respondent.

Case No. 2012-6 and 2012-7

OAH Nos. 2013070556 and 2013070557

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.

The Decision shall become effective on May 8, 2014.

IT IS SO ORDERED April 8, 2014.



FOR THE STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 ALVARO MEJIA
Deputy Attorney General
4 State Bar No. 216596
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-0083
6 Facsimile: (213) 897-2804
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 Accusations Against:

Case Nos. 2012-6 and 2012-7

11 **MICHAEL RODRIGUEZ**
12 **6143 Penswood Avenue**
13 **Lakewood, CA 90712**
14 **Field Representative License No. FR 44131**
Applicator License No. RA 50058

OAH Nos. 2013070556 and 2013070557

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

15
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. William H. Douglas (Complainant) former Interim Registrar/Executive Officer of the
22 Structural Pest Control Board, brought these actions solely in his official capacity. Susan Saylor
23 is the current Registrar/Executive Officer of the Structural Pest Control Board. She maintains
24 these actions solely in her official capacity and is represented in this matter by Kamala D. Harris,
25 Attorney General of the State of California, by Alvaro Mejia, Deputy Attorney General.

26 2. Michael Rodriguez (Respondent) is representing himself in these proceedings and has
27 chosen not to exercise his right to be represented by counsel.

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1 **Michael Rodriguez**

2 **Field Representative License No. 44131**

3 3. On or about March 12, 2009, the Board issued Field Representative's License
4 Number FR 44131 in Branch 1 to Respondent Michael Rodriguez as an employee of Master
5 Pume, Inc. On or about April 28, 2010, the license was upgraded to include Branch 2. On or
6 about July 11, 2010, Respondent Rodriguez became employed with Bug Stop Services, Inc. Field
7 Representative License No. FR 44131 was in full force and effect at all times relevant to the
8 charges brought herein and will expire on June 30, 2014, unless renewed.

9 **Applicator License No. RA 50058**

10 4. On or about June 29, 2009, the Board issued Applicator License Number RA 50058
11 to Respondent Rodriguez as an employee of Bug Stop Services, Inc. On or about April 28, 2010,
12 the license was downgraded to Branch 3 due to the issuance of a Branch 2 Field Representative
13 License. Applicator License No. RA 50058 was in full force and effect at all times relevant to the
14 charges brought herein and expired on June 29, 2012. The license has not been renewed.

15 **JURISDICTION**

16 5. Accusation Nos. 2012-6 and 2012-7 were filed before the Structural Pest Control
17 Board (Board), Department of Consumer Affairs, and are currently pending against Respondent.
18 The Accusations and all other statutorily required documents were properly served on
19 Respondents on August 3, 2012. Respondent timely filed Notice of Defenses contesting the
20 Accusations.

21 6. A copy of Accusation Nos. 2012-6 and 2012-7 are attached as **Exhibit A** and
22 incorporated herein by reference.

23 **ADVISEMENT AND WAIVERS**

24 7. Respondent has carefully read, and understood the charges and allegations in
25 Accusation Nos. Nos. 2012-6 and 2012-7. Respondent has also carefully read, and understand
26 the effects of this Stipulated Settlement and Disciplinary Order.

27 8. Respondent is fully aware of his legal rights in this matter, including the right to a
28 hearing on the charges and allegations in the Accusations; the right to be represented by counsel

1 at his own expense; the right to confront and cross-examine the witnesses against him; the right to
2 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
3 the attendance of witnesses and the production of documents; the right to reconsideration and
4 court review of an adverse decision; and all other rights accorded by the California
5 Administrative Procedure Act and other applicable laws.

6 9. Respondent voluntarily, knowingly, and intelligently waives and give up each and
7 every right set forth above.

8 **CULPABILITY**

9 10. Respondent admits the truth of each and every charge and allegation in Accusations
10 Nos. 2012-6 and 2012-7.

11 11. Respondent agrees that his Field Representative License and Applicator License are
12 subject to discipline and agrees to be bound by the Board's probationary terms as set forth in the
13 Disciplinary Order below.

14 **CONTINGENCY**

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

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

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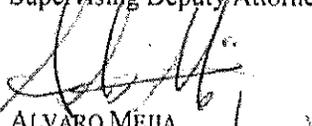
ENDORSEMENT

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

Dated: 12-03-2013

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General



ALVARO MEJIA
Deputy Attorney General
Attorneys for Complainant

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