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

In the Matter of the Accusation Against:

JORGE ALBERTO SANDOVAL 1250 E. 88<sup>th</sup> Street Los Angeles, CA 90002

c/o California Correctional Institution Inmate Registration #AM6425 PO Box 1031 Tehachapi, CA 93581

Field Representative's License No. FR 44498, Branch 2

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.

The Decision shall become effective on July 16, 2014

IT IS SO ORDERED June 16, 2014

FOR THE STRUCUTRAL PEST CONTROL BOARD DEPARTMENT OF CONSUMER AFFAIRS

Case No. 2013-50

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1	Kamala D. Harris		
2	Attorney General of California ARMANDO ZAMBRANO		
3	Supervising Deputy Attorney General KRITHTHIKA VASUDEVAN		
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6	Facsimile: (213) 897-2804 Attorneys for Complainant		
7	BEFOR	RETHE	
8		STRUCTURAL PEST CONTROL BOARD DEPARTMENT OF CONSUMER AFFAIRS	
9		CALIFORNIA	
10	To the Motter of the Association Association	G N 2012 50	
11	In the Matter of the Accusation Against:	Case No. 2013-50	
12	JORGE ALBERTO SANDOVAL 1250 E. 88 <sup>TH</sup> Street	STIPULATED SURRENDER OF LICENSE AND ORDER	
13	Los Angeles, CA 90002		
14	c/o California Correctional Institution		
15	Inmate Registration #AM6425 P.O. Box 1031		
16	Tehachapi, California 93581		
17	Field Representative License No. FR 44498,		
18	Branch 2		
19	Respondent.		
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	IT IS HEREBY STIPULATED AND AGREED by and between the parties in this		
22	proceeding that the following matters are true:		
23	PAR	TIES	
24	1. Susan Saylor (Complainant) is the	Registrar/Executive Officer of the Structural Pest	
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- 27			
28	State of California, by Kriththika Vasudevan, D	eputy Attorney General.	
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Stipulated Surrender of License (Case No. 2013-50)

1	2. On or about June 26, 2009, the Board issued Field Representative License Number	
2	FR 44498, Branch 2, to Jorge Alberto Sandoval ("Respondent") reflecting employment with	
3	Terminix International Company L.P., at a business address of 5901 East Slauson Avenue, City	
4	of Commerce, CA 90040. On or about September 1, 2009, Field Representative License Number	
5	FR 44498 left the employ of Terminix International Company L.P. On or about September 1,	
6	2009, Field Representative License Number FR 44498 reflected employment with Western	
7	Exterminator Company at a business address of 305 North Crescent Way, Anaheim, CA 92801.	
8	The Field Representative License was in full force and effect at all times relevant to the charges	
9	brought here and will expire on June 30, 2014, unless renewed.	
10	JURISDICTION	
11	3. Accusation No. 2013-50 was filed before the Board, and is currently pending against	
12	Respondent. The Accusation and all other statutorily required documents were properly served	
13	on Respondent on June 28, 2013. Respondent timely filed his Notice of Defense contesting the	
14	Accusation. A copy of Accusation No. 2013-50 is attached as Exhibit A and incorporated by	
15	reference.	
16	ADVISEMENT AND WAIVERS	
17	4. Respondent has carefully read, and understands the charges and allegations in	
18	Accusation No. 2013-50.	
19	5. Respondent also has carefully read, and understand the effects of this Stipulated	
20	Surrender of License and Order.	
21	6. Respondent is fully aware of his legal rights in this matter, including the right to a	
22	hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at	
23	his own expense; the right to confront and cross-examine the witnesses against him; the right to	
24	present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel	
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25	the attendance of witnesses and the production of documents; the right to reconsideration and	
25	the attendance of witnesses and the production of documents; the right to reconsideration and	

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Stipulated Surrender of License (Case No. 2013-50)

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

**CULPABILITY** 

8. Respondent admits the truth of each and every charge and allegation in Accusation
5 No. 2013-50.

9. Respondent agrees that his Field Representative License is subject to discipline and
agrees to be bound by the discipline imposed by the Board as set forth in the Disciplinary
Order below.

9 10. Respondent hereby agrees to surrender Field Representative License for the
10 Board's formal acceptance.

11 11. Respondent understands that by signing this stipulation he enables the Board to
12 issue an order accepting the surrender of his Field Representative License Number FR
13 44498, without further process or formal court hearing.

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### <u>CONTINGENCY</u>

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

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13. This Stipulated Surrender and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender and Disciplinary

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Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
 writing executed by an authorized representative of each of the parties.

3 14. The parties understand and agree that facsimile copies of this Stipulated Surrender
4 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and
5 effect as the originals.

6 15. In consideration of the foregoing admissions and stipulations, the parties agree that
7 the Board may, without further notice or formal proceeding, issue and enter the following
8 Disciplinary Order:

9.

## <u>ORDER</u>

IT IS HEREBY ORDERED that Field Representative License No. FR. 44498, Branch 2,
issued to Jorge Alberto Sandoval is surrendered and accepted by the Structural Pest Control
Board.

The surrender of Respondent's Field Representative License No. FR 44498, Branch 2
 and the acceptance of the surrendered license by the Board shall constitute the imposition of
 discipline against Respondent. This stipulation constitutes a record of the discipline and shall
 become a part of Respondent's license history with the Structural Pest Control Board.

17 2. Respondent shall lose all rights and privileges in California as of the effective date of
18 the Board's Decision and Order.

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

4. If Respondent ever files an application for licensure or a petition for reinstatement in
the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
comply with all the laws, regulations and procedures for reinstatement of a revoked license in
effect at the time the petition is filed, and all of the charges and allegations contained in
Accusation No. 2013-50 shall be deemed to be true, correct and admitted by Respondent when
the Board determines whether to grant or deny the petition.

27 5. Respondent shall pay the agency its costs of investigation and enforcement in the
28 amount of \$2,325.00 prior to issuance of a new or reinstated license.

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6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other agency in the State of California, all of the charges and allegations contained in Accusation No. 2013-50 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

### ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Field Representative License No. FR 44498, Branch 2. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Structural Pest Control Board.

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DATED: 3-16-14

JORGEALBERTO SANDOVAL Respondent

### ENDORSEMENT

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

19 Dated: 20

Respectfully submitted,

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

KRITHTHIKA VASUDEVAN Deputy Attorney General Attorneys for Complainant

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