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FILED

Date 4/11/12 By

William H. Douglas

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

11 In the Matter of the First Amended Accusation
12 Against:

13 **JASON L. BOHANNON**
14 **320 Pomelo Drive, #182**
Vista, CA 92081
15 **Field Representative's License No. FR 45160, Br. 2**
Applicator License No. RA 48306, Br. 3

16 Respondent.

Case No. 2011-72(b)

FIRST AMENDED
ACCUSATION

17
18 William H. Douglas ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this First Amended Accusation solely in his official capacity as
21 the Interim Registrar/Executive Officer of the Structural Pest Control Board, Department of
22 Pesticide Regulation ("Board").

23 **Field Representative License**

24 2. On or about January 27, 2010, the Board issued Field Representative's License
25 Number FR 45160, in Branch 2, to Jason L. Bohannon ("Respondent"). The License was in full
26 force and effect at all times relevant to the charges brought herein and will expire on
27 June 30, 2012, unless renewed.

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the contract, is a ground for disciplinary action.

8. Code section 8651 states:

The performing or soliciting of structural pest control work, the inspecting for structural or household pests, or the applying of any pesticide, chemical, or allied substance for the purpose of eliminating, exterminating, controlling, or preventing structural pests in branches of pest control other than those for which the operator, field representative, or applicator is licensed or the company is registered is a ground for disciplinary action.

COST RECOVERY

9. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Unlicensed Activity)

10. Respondent's applicator's license and field representative license are subject to discipline under Code section 8651, in that between December 6, 2007, and January 27, 2010, while an applicator, he engaged in field representative work without holding a valid license.

OTHER MATTERS

11. Code section 8620 provides, in pertinent part, that a respondent may request that a civil penalty of not more than \$5,000 be assessed in lieu of an actual suspension of 1 to 19 days, or not more than \$10,000 for an actual suspension of 20 to 45 days. Such request must be made at the time of the hearing and must be noted in the proposed decision. The proposed decision shall not provide that a civil penalty shall be imposed in lieu of a suspension.

12. Pursuant to Code section 8654, if discipline is imposed on Field Representative's License No. FR 45160 and/or Registered Applicator's License No. RA 48306, issued to Respondent, then Respondent shall be prohibited from serving as an officer, director, associate, partner or responsible managing employee of a registered company, and any licensee which employs, elects, or associates Respondent shall be subject to disciplinary action.

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PRAYER

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2 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein
3 alleged, and that following the hearing, the Structural Pest Control Board issue a decision:

4 1. Revoking or suspending Field Representative's License Number FR 45160, issued to
5 Jason L. Bohannon;

6 2. Revoking or suspending Registered Applicator's License Number RA 48306, issued
7 to Jason L. Bohannon;

8 3. Revoking or suspending any other license for which Jason L. Bohannon is furnishing
9 the qualifying experience or appearance;

10 4. Prohibiting Jason L. Bohannon from serving as an officer, director, associate, partner,
11 qualifying manager or responsible managing employee of any registered company during the
12 period that discipline is imposed on Field Representative's License Number FR 45160, issued to
13 Jason L. Bohannon;

14 5. Prohibiting Jason L. Bohannon from serving as an officer, director, associate, partner,
15 qualifying manager or responsible managing employee of any registered company during the
16 period that discipline is imposed on Registered Applicator's License Number RA 48306, issued
17 to Jason L. Bohannon;

18 6. Ordering Jason L. Bohannon to pay the Structural Pest Control Board the reasonable
19 costs of the investigation and enforcement of this case, pursuant to Business and Professions
20 Code section 125.3; and,

21 7. Taking such other and further action as deemed necessary and proper.

22 DATED: 4/11/12

William H. Douglas
WILLIAM H. DOUGLAS
Interim Registrar/Executive Officer
Structural Pest Control Board
Department of Pesticide Regulation
State of California
Complainant

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