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

In the Matter of the Accusation Against:

DANIEL R. BLAIR 1331 Morena Boulevard, Suite #300 San Diego, CA 92110 Case No. 2015-59

Field Representative's License No. FR 46694

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 August 28, 2015

IT IS SO ORDERED July 29, 2015

FOR THE STRUCUTRAL PEST CONTROL BOARD DEPARTMENT OF CONSUMER AFFAIRS

1	Kamala D. Harris		
2	Attorney General of California LINDA K. SCHNEIDER		
3	Senior Assistant Attorney General GREGORY J. SALUTE		
4	Supervising Deputy Attorney General State Bar No. 164015		
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6	P.O. Box 85266 San Diego, CA 92186-5266		
7	Telephone: (619) 645-2617 Facsimile: (619) 645-2061		
8	Attorneys for Complainant		
9	BEFORE THE STRUCTURAL PEST CONTROL BOARD		
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
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12	In the Matter of the Accusation Against:	Case No. 2015-59	
13	DANIEL R. BLAIR 1331 Morena Boulevard, Suite #300		
14	San Diego, CA 92110	STIPULATED SURRENDER OF LICENSE AND ORDER	
15	Field Representative License No. FR 46694		
16	Respondent.		
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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. Susan Saylor (Complainant) is the Registrar/Executive Officer of the Structural Pest		
22	Control Board. She brought this action solely in her official capacity and is represented in this		
23	matter by Kamala D. Harris, Attorney General of the State of California, by Gregory J. Salute,		
24	Supervising Deputy Attorney General.		
25	2. Daniel R. Blair (Respondent) is repr	esenting himself in this proceeding and has	
26	chosen not to exercise his right to be represented by counsel.		
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1	3. On or about April 21, 2011, the Structural Pest Control Board issued Field		
2	Representative License No. FR 46694 to Daniel R. Blair (Respondent). The Field Representative		
3	License was in full force and effect at all times relevant to the charges brought in Accusation No.		
4	2015-59 and will expire on June 30, 2016, unless renewed.		
5	JURISDICTION		
6	4. Accusation No. 2015-59 was filed before the Structural Pest Control Board (Board),		
7	Department of Consumer Affairs, and is currently pending against Respondent. The Accusation		
8	and all other statutorily required documents were properly served on Respondent on June 10,		
9	2015. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of		
10	Accusation No. 2015-59 is attached as Exhibit A and incorporated by reference.		
11	ADVISEMENT AND WAIVERS		
12	5. Respondent has carefully read, and understands the charges and allegations in		
13	Accusation No. 2015-59. Respondent also has carefully read, and understands the effects of this		
14	Stipulated Surrender of License and Order.		
15	6. Respondent is fully aware of his legal rights in this matter, including the right to a		
16	hearing on the charges and allegations in the Accusation; the right to be represented by counsel, a		
17	his own expense; the right to confront and cross-examine the witnesses against him; the right to		
18	present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compe		
19	the attendance of witnesses and the production of documents; the right to reconsideration and		
20	court review of an adverse decision; and all other rights accorded by the California		
21	Administrative Procedure Act and other applicable laws.		
22	7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and		
23	every right set forth above.		
24	CULPABILITY		
25	8. Respondent admits the truth of each and every charge and allegation in Accusation		
26	No. 2015-59, agrees that cause exists for discipline and hereby surrenders his Field		
27	Representative License No. FR 46694 for the Board's formal acceptance.		
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Stipulated Surrender of License (Case No. 2015-59)

9. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Field Representative License without further process.

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CONTINGENCY

10. This stipulation shall be subject to approval by the Structural Pest Control Board. 4 5 Respondent understands and agrees that counsel for Complainant and the staff of the Structural Pest Control Board may communicate directly with the Board regarding this stipulation and 6 surrender, without notice to or participation by Respondent. By signing the stipulation, 7 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the 8 9 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of 10 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between 11 the parties, and the Board shall not be disgualified from further action by having considered this 12 matter. 13

11. The parties understand and agree that Portable Document Format (PDF) and facsimile 14 copies of this Stipulated Surrender of License and Order, including Portable Document Format 15 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals. 16

12. This Stipulated Surrender of License and Order is intended by the parties to be an 17 integrated writing representing the complete, final, and exclusive embodiment of their agreement. 18 It supersedes any and all prior or contemporaneous agreements, understandings, discussions, 19 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order 20 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing 21 executed by an authorized representative of each of the parties. 22

In consideration of the foregoing admissions and stipulations, the parties agree that

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- the Board may, without further notice or formal proceeding, issue and enter the following Order: 24 25
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<u>ORDER</u>

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2	IT IS HEREBY ORDERED that Field Representative License No. FR 46694 issued to	
3	Respondent Daniel R. Blair, is surrendered and accepted by the Structural Pest Control Board.	
4	1. The surrender of Respondent's Field Representative License and the acceptance of	
5	the surrendered license by the Board shall constitute the imposition of discipline against	
6	Respondent. This stipulation constitutes a record of the discipline and shall become a part of	
7	Respondent's license history with the Structural Pest Control Board.	
8	2. Respondent shall lose all rights and privileges as a field representative in California	
9	as of the effective date of the Board's Decision and Order.	
10	3. Respondent shall cause to be delivered to the Board his pocket license(s) and, if one	
11	was issued, his wall certificates on or before the effective date of the Decision and Order.	
12	4. If he ever applies for licensure or petitions for reinstatement in the State of California,	
13	the Board shall treat it as a new application for licensure. Respondent must comply with all the	
14	laws, regulations and procedures for licensure in effect at the time the application or petition is	
15	filed, and all of the charges and allegations contained in Accusation No. 2015-59 shall be	
16	deemed to be true, correct and admitted by Respondent when the Board determines whether to	
17	grant or deny the application or petition.	
18	5. Respondent shall pay the agency its costs of investigation and enforcement in the	
19	amount of \$640.00 prior to issuance of a new or reinstated license.	
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Stipulated Surrender of License (Case No. 2015-59)

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1	ACCEPTANCE	
2	I have carefully read the Stipulated Surrender of License and Order. I understand the	
3	stipulation and the effect it will have on my Field Representative License. I enter into this	
4	Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to	
5	be bound by the Decision and Order of the Structural Pest Control Board.	
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7	DATED: 6-17-15 01/202	
8	DANIEL R. BLAIR Respondent	
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11	ENDORSEMENT	
12	The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted	
13	for consideration by the Structural Pest Control Board of the Department of Consumer Affairs.	
14	Dated: 6-17-15 Respectfully submitted,	
15	Kamala D. Harris	
16	Attorney General of California LINDA K. SCHNEIDER	
17	Senior Assistant Attorney General	
18	Azoteve	
19	Supervising Deputy Attorney General	
20	Attorneys for Complainant	
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